

# Calendar No. 291

115TH CONGRESS 2D SESSION

# H. R. 4667

#### IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2017 Received

January 3, 2018 Read the first time

January 4, 2018
Read the second time and placed on the calendar

# AN ACT

Making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, 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 **DIVISION A—DISASTER ASSISTANCE**

- 4 The following sums are appropriated, out of any
- 5 money in the Treasury not otherwise appropriated, for the
- 6 fiscal year ending September 30, 2018, and for other pur-
- 7 poses, namely:

1	TITLE I
2	DEPARTMENT OF AGRICULTURE
3	Office of the Secretary
4	For an additional amount for the "Office of the Sec-
5	retary", \$2,600,000,000, which shall remain available
6	until September 30, 2019, for necessary expenses related
7	to crops, trees, bushes, vines, and livestock losses resulting
8	from Hurricanes Harvey, Irma, Maria, and other hurri-
9	canes and wildfires occurring in calendar year 2017 under
10	such terms and conditions as determined by the Secretary:
11	Provided, That the Secretary may provide assistance for
12	such losses in the form of block grants to eligible states
13	and territories: Provided further, That the total amount
14	of payments received under this heading and applicable
15	policies of crop insurance under the Federal Crop Insur-
16	ance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop
17	Disaster Assistance Program (NAP) under section 196 of
18	the Federal Agriculture Improvement and Reform Act of
19	1996 (7 U.S.C. 7333) shall not exceed 85 percent of the
20	loss as determined by the Secretary: Provided further,
21	That the total amount of payments received under this
22	heading for producers who did not obtain a policy or plan
23	of insurance for an insurable commodity for the 2017 crop
24	year, or 2018 crop year in the case of citrus, under the
25	Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for

the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State 3 filing deadline for a noninsurable commodity for the 2017 4 crop year under NAP for the crop incurring the losses shall not exceed 65 percent of the loss as determined by the Secretary: Provided further, That producers receiving 6 payments under this heading, as determined by the Sec-8 retary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop 10 years, and producers receiving payments under this heading shall be required to purchase coverage under NAP 12 where crop insurance is not available in the next two available crop years, as determined by the Secretary: Provided further, That, not later than 90 days after the end of fiscal year 2018, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such as-16 17 sistance by state and territory and the status of the 18 amounts obligated and plans for further expenditure and 19 include improvements that can be made to Federal Crop 20 Insurance policies, either administratively or legislatively, 21 to increase participation, particularly among underserved producers, in higher levels of coverage in future years for 23 crops qualifying for assistance under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to

1	section 251(b)(2)(A)(i) of the Balanced Budget and
2	Emergency Deficit Control Act of 1985.
3	Office of Inspector General
4	For an additional amount for "Office of Inspector
5	General", \$2,500,000, to remain available until expended,
6	for oversight and audit of programs, grants, and activities
7	funded by this division and administered by the Depart-
8	ment of Agriculture: Provided, That such amount is des-
9	ignated by the Congress as being for an emergency re-
10	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
11	anced Budget and Emergency Deficit Control Act of 1985.
12	AGRICULTURAL RESEARCH SERVICE
13	BUILDINGS AND FACILITIES
14	For an additional amount for "Buildings and Facili-
15	ties", \$22,000,000, to remain available until expended, for
16	necessary expenses related to the consequences of Hurri-
17	canes Harvey, Irma and Maria: Provided, That such
18	amount is designated by the Congress as being for an
19	emergency requirement pursuant to section
20	251(b)(2)(A)(i) of the Balanced Budget and Emergency
21	Deficit Control Act of 1985.
22	FARM SERVICE AGENCY
23	EMERGENCY CONSERVATION PROGRAM
23 24	EMERGENCY CONSERVATION PROGRAM  For an additional amount for the "Emergency Con-

- 1 consequences of Hurricanes Harvey, Irma, and Maria and
- 2 of wildfires occurring in calendar year 2017, and other
- 3 natural disasters, \$400,000,000, to remain available until
- 4 expended: Provided, That not less than \$300,000,000 of
- 5 the amount made available in the previous proviso shall
- 6 be for necessary expenses resulting from a major disaster
- 7 declared pursuant to the Robert T. Stafford Disaster Re-
- 8 lief and Emergency Assistance Act (42 U.S.C. 5121 et
- 9 seq.): Provided further, That such amount is designated
- 10 by the Congress as being for an emergency requirement
- 11 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 12 et and Emergency Deficit Control Act of 1985.
- 13 NATURAL RESOURCES CONSERVATION SERVICE
- 14 WATERSHED AND FLOOD PREVENTION OPERATIONS
- 15 For an additional amount, for "Watershed and Flood
- 16 Prevention Operations", for necessary expenses for the
- 17 Emergency Watershed Protection Program related to the
- 18 consequences of Hurricanes Harvey, Irma, and Maria and
- 19 of wildfires occurring in calendar year 2017, and other
- 20 natural disasters, \$541,000,000, to remain available until
- 21 expended: Provided, That not less than \$400,000,000 of
- 22 the amount made available in the previous proviso shall
- 23 be for necessary expenses resulting from a major disaster
- 24 declared pursuant to the Robert T. Stafford Disaster Re-
- 25 lief and Emergency Assistance Act (42 U.S.C. 5121 et

- 1 seq.): Provided further, That such amount is designated
- 2 by the Congress as being for an emergency requirement
- 3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 4 et and Emergency Deficit Control Act of 1985.

## 5 RURAL DEVELOPMENT PROGRAMS

- 6 Rural Housing Service
- 7 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
- 8 For an additional amount for costs of direct loans,
- 9 including costs relating to modification of such loans, as
- 10 those terms are defined in section 502 of the Congres-
- 11 sional Budget Act of 1974 (2 U.S.C. 661a), \$18,672,000
- 12 shall be for direct loans for the rehabilitation of section
- 13 515 rental housing (42 U.S.C. 1485) in locations where
- 14 owners were not required to carry national flood insur-
- 15 ance, to remain available until September 30, 2019: Pro-
- 16 vided, That such funds shall be for areas impacted by
- 17 Hurricanes Harvey, Irma, and Maria: Provided further,
- 18 That such amount is designated by the Congress as being
- 19 for an emergency requirement pursuant to section
- 20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 21 Deficit Control Act of 1985.
- 22 Rural Utilities Service
- 23 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
- For an additional amount for the "Rural Water and
- 25 Waste Disposal Program Account", \$165,475,000, to re-

- 1 main available until expended, for grants to repair drink-
- 2 ing water systems and sewer and solid waste disposal sys-
- 3 tems impacted by Hurricanes Harvey, Irma, and Maria:
- 4 Provided, That not to exceed \$2,000,000 of the amount
- 5 appropriated under this heading shall be for technical as-
- 6 sistance grants for rural water and waste systems pursu-
- 7 ant to section 306(a)(14) of the Consolidated Farm and
- 8 Rural Development Act: Provided further, That such
- 9 amount is designated by the Congress as being for an
- 10 emergency requirement pursuant to section
- 11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 12 Deficit Control Act of 1985.
- FOOD AND NUTRITION SERVICE
- 14 COMMODITY ASSISTANCE PROGRAM
- 15 For an additional amount for "Commodity Assistance
- 16 Program" for the emergency food assistance program as
- 17 authorized by section 27(a) of the Food and Nutrition Act
- 18 of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the
- 19 Emergency Food Assistance Act of 1983 (7 U.S.C.
- 20 7508(a)(1), \$24,000,000, to remain available until Sep-
- 21 tember 30, 2019: Provided, That notwithstanding any
- 22 other provisions of the Emergency Food Assistance Act
- 23 of 1983, the Secretary of Agriculture may allocate addi-
- 24 tional foods and funds for administrative expenses from
- 25 resources specifically appropriated, transferred, or repro-

1	grammed to provide resources to Puerto Rico, the United
2	States Virgin Islands, and States affected by wildfires oc-
3	curring in calendar year 2017 or Hurricanes Harvey
4	Irma, and Maria, as determined by the Secretary, without
5	regard to sections 204 and 214 of such Act (7 U.S.C.
6	7508, 7515): Provided further, That such funds will be
7	designated for States impacted by Hurricanes Harvey
8	Irma, and Maria, or wildfire and subject to a federal major
9	disaster or emergency declaration: Provided further, That
10	such amount is designated by the Congress as being for
11	an emergency requirement pursuant to section
12	251(b)(2)(A)(i) of the Balanced Budget and Emergency
13	Deficit Control Act of 1985.
14	DEPARTMENT OF HEALTH AND HUMAN
15	SERVICES
16	FOOD AND DRUG ADMINISTRATION
17	BUILDINGS AND FACILITIES
18	(INCLUDING TRANSFER OF FUNDS)
19	For an additional amount for "Buildings and Facili-
20	ties", \$7,600,000, to remain available until expended, for
21	necessary expenses related to the consequences of Hurri-
22	canes Harvey, Irma, and Maria: Provided, That such
23	amount may be transferred to "Department of Health and
24	Human Services—Food and Drug Administration Salaries
25	and Expenses" for costs related to repair of facilities, for

- 1 replacement of equipment, and for other increases in facil-
- 2 ity-related costs: Provided further, That obligations in-
- 3 curred for the purposes provided herein prior to the date
- 4 of enactment of this Act may be charged to funds appro-
- 5 priated by this paragraph: Provided further, That such
- 6 amount is designated by the Congress as being for an
- 7 emergency requirement pursuant to section
- 8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 9 Deficit Control Act of 1985.

#### 10 GENERAL PROVISION—THIS TITLE

- 11 Sec. 101. (a) Section 1501(d)(1) of the Agricultural
- 12 Act of 2014 (7 U.S.C. 9081(d)(1)) is amended by striking
- 13 "not more than \$20,000,000" and inserting "not more
- 14 than \$40,000,000".
- 15 (b) The amount provided by subsection (a) for fiscal
- 16 year 2018 is designated by the Congress as being for an
- 17 emergency requirement pursuant to section
- 18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 19 Deficit Control Act of 1985.

1	TITLE II
2	DEPARTMENT OF COMMERCE
3	ECONOMIC DEVELOPMENT ADMINISTRATION
4	ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
5	(INCLUDING TRANSFERS OF FUNDS)
6	Pursuant to section 703 of the Public Works and
7	Economic Development Act (42 U.S.C. 3233), for an addi-
8	tional amount for "Economic Development Assistance
9	Programs" for necessary expenses related to flood mitiga-
10	tion, disaster relief, long-term recovery, and restoration of
11	infrastructure in areas that received a major disaster des-
12	ignation as a result of Hurricanes Harvey, Irma, and
13	Maria, and the calendar year 2017 wildfires, under the
14	Robert T. Stafford Disaster Relief and Emergency Assist-
15	ance Act (42 U.S.C. 5121 et seq.), \$600,000,000, to re-
16	main available until expended: Provided, That the amount
17	provided under this heading is designated by the Congress
18	as being for an emergency requirement pursuant to sec-
19	tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
20	gency Deficit Control Act of 1985: Provided further, That
21	within the amount appropriated, up to 2 percent of funds
22	may be transferred to the "Salaries and Expenses" ac-
23	count for administration and oversight activities: Provided
24	further, That within the amount appropriated, \$1,000,000
25	shall be transferred to the "Office of Inspector General"

1	account for carrying out investigations and audits related
2	to the funding provided under this heading.
3	NATIONAL OCEANIC AND ATMOSPHERIC
4	ADMINISTRATION
5	OPERATIONS, RESEARCH, AND FACILITIES
6	For an additional amount for "Operations, Research,
7	and Facilities" for necessary expenses related to the con-
8	sequences of Hurricanes Harvey, Irma, and Maria,
9	\$120,904,000, to remain available until September 30,
10	2019, as follows: (1) \$12,904,000 for repair and replace-
11	ment of observing assets, Federal real property, and
12	equipment; (2) \$18,000,000 for marine debris assessment
13	and removal; (3) \$40,000,000 for mapping, charting, and
14	geodesy services; and (4) \$50,000,000 to improve weather
15	forecasting, hurricane intensity forecasting and flood fore-
16	casting and mitigation capabilities, including data assimi-
17	lation from ocean observing platforms and satellites: Pro-
18	vided, That the amount provided under this heading is
19	designated by the Congress as being for an emergency re-
20	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21	anced Budget and Emergency Deficit Control Act of 1985.
22	PROCUREMENT, ACQUISITION AND CONSTRUCTION
23	For an additional amount for "Procurement, Acquisi-
24	tion and Construction" for necessary expenses related to
25	the consequences of Hurricanes Harvey, Irma, and Maria.

- 1 \$79,232,000, to remain available until September 30,
- 2 2020, as follows: (1) \$29,232,000 for repair and replace-
- 3 ment of Federal real property and observing assets; and
- 4 (2) \$50,000,000 for improvements to operational and re-
- 5 search weather supercomputing infrastructure and for im-
- 6 provement of satellite ground services used in hurricane
- 7 intensity and track prediction: Provided, That the amount
- 8 provided under this heading is designated by the Congress
- 9 as being for an emergency requirement pursuant to sec-
- 10 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 11 gency Deficit Control Act of 1985.
- 12 DEPARTMENT OF JUSTICE
- 13 UNITED STATES MARSHALS SERVICE
- 14 SALARIES AND EXPENSES
- 15 For an additional amount for "Salaries and Ex-
- 16 penses" for necessary expenses related to the con-
- 17 sequences of Hurricanes Harvey, Irma, and Maria,
- 18 \$2,500,000: Provided, That the amount provided under
- 19 this heading is designated by the Congress as being for
- 20 an emergency requirement pursuant to section
- 21 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 22 Deficit Control Act of 1985.

1	Federal Bureau of Investigation
2	SALARIES AND EXPENSES
3	For an additional amount for "Salaries and Ex-
4	penses" for necessary expenses related to the con-
5	sequences of Hurricanes Harvey, Irma, and Maria
6	\$21,200,000: Provided, That the amount provided under
7	this heading is designated by the Congress as being for
8	an emergency requirement pursuant to section
9	251(b)(2)(A)(i) of the Balanced Budget and Emergency
10	Deficit Control Act of 1985.
11	Drug Enforcement Administration
12	SALARIES AND EXPENSES
13	For an additional amount for "Salaries and Ex-
14	penses" for necessary expenses related to the con-
15	sequences of Hurricanes Harvey, Irma, and Maria
16	\$11,500,000: Provided, That the amount provided under
17	this heading is designated by the Congress as being for
18	an emergency requirement pursuant to section
19	251(b)(2)(A)(i) of the Balanced Budget and Emergency
20	Deficit Control Act of 1985.
21	FEDERAL PRISON SYSTEM
22	SALARIES AND EXPENSES
23	For an additional amount for "Salaries and Ex-
24	penses" for necessary expenses related to the con-
25	sequences of Hurricanes Harvey, Irma, and Maria

- 1 \$16,000,000: Provided, That the amount provided under
- 2 this heading is designated by the Congress as being for
- 3 an emergency requirement pursuant to section
- 4 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 5 Deficit Control Act of 1985.
- 6 BUILDINGS AND FACILITIES
- 7 For an additional amount for "Buildings and Facili-
- 8 ties" for necessary expenses related to the consequences
- 9 of Hurricanes Harvey, Irma, and Maria, \$34,000,000, to
- 10 remain available until expended: Provided, That the
- 11 amount provided under this heading is designated by the
- 12 Congress as being for an emergency requirement pursuant
- 13 to section 251(b)(2)(A)(i) of the Balanced Budget and
- 14 Emergency Deficit Control Act of 1985.
- 15 SCIENCE
- 16 National Aeronautics and Space Administration
- 17 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
- 18 RESTORATION
- 19 For an additional amount for "Construction and En-
- 20 vironmental Compliance and Restoration" for repairs at
- 21 National Aeronautics and Space Administration facilities
- 22 damaged by hurricanes during 2017, \$81,300,000, to re-
- 23 main available until expended: *Provided*, That the amount
- 24 provided under this heading is designated by the Congress
- 25 as being for an emergency requirement pursuant to sec-

1	tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2	gency Deficit Control Act of 1985.
3	NATIONAL SCIENCE FOUNDATION
4	RESEARCH AND RELATED ACTIVITIES
5	For an additional amount for "Research and Related
6	Activities" for necessary expenses to repair National
7	Science Foundation radio observatory facilities damaged
8	by hurricanes that occurred during 2017, \$16,300,000, to
9	remain available until expended: Provided, That the
10	amount provided under this heading is designated by the
11	Congress as being for an emergency requirement pursuant
12	to section 251(b)(2)(A)(i) of the Balanced Budget and
13	Emergency Deficit Control Act of 1985: Provided further,
14	That the National Science Foundation shall submit a
15	spending plan to the Committees on Appropriations of the
16	House of Representatives and the Senate within 45 days
17	after the date of enactment of this Act.
18	RELATED AGENCIES
19	LEGAL SERVICES CORPORATION
20	PAYMENT TO THE LEGAL SERVICES CORPORATION
21	For an additional amount for "Payment to the Legal
22	Services Corporation" to carry out the purposes of the
23	Legal Services Corporation Act by providing for necessary
24	expenses related to the consequences of Hurricanes Har-
25	vey, Irma, and Maria, \$1,000,000: Provided, That the

- 1 amount made available under this heading shall be used
- 2 only to provide the mobile resources, technology, and dis-
- 3 aster coordinators necessary to provide storm-related serv-
- 4 ices to the Legal Services Corporation client population
- 5 and only in the areas significantly affected by Hurricanes
- 6 Harvey, Irma, and Maria: Provided further, That such
- 7 amount is designated by the Congress as being for an
- 8 emergency requirement pursuant to section
- 9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 10 Deficit Control Act of 1985: Provided further, That none
- 11 of the funds appropriated in this division to the Legal
- 12 Services Corporation shall be expended for any purpose
- 13 prohibited or limited by, or contrary to any of the provi-
- 14 sions of, sections 501, 502, 503, 504, 505, and 506 of
- 15 Public Law 105–119, and all funds appropriated in this
- 16 division to the Legal Services Corporation shall be subject
- 17 to the same terms and conditions set forth in such sec-
- 18 tions, except that all references in sections 502 and 503
- 19 to 1997 and 1998 shall be deemed to refer instead to 2017
- 20 and 2018, respectively, and except that sections 501 and
- 21 503 of Public Law 104–134 (referenced by Public Law
- 22 105–119) shall not apply to the amount made available
- 23 under this heading: Provided further, That, for the pur-
- 24 poses of this division, the Legal Services Corporation shall
- 25 be considered an agency of the United States Government.

1	TITLE III
2	DEPARTMENT OF DEFENSE
3	DEPARTMENT OF DEFENSE—MILITARY
4	OPERATION AND MAINTENANCE
5	OPERATION AND MAINTENANCE, ARMY
6	For an additional amount for "Operation and Main-
7	tenance, Army", \$20,110,000, to remain available until
8	September 30, 2018, for necessary expenses related to the
9	consequences of Hurricanes Harvey, Irma or Maria: Pro-
10	vided, That such amount is designated by the Congress
11	as being for an emergency requirement pursuant to sec-
12	tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13	gency Deficit Control Act of 1985.
14	OPERATION AND MAINTENANCE, NAVY
15	For an additional amount for "Operation and Main-
16	tenance, Navy", \$267,796,000, to remain available until
17	September 30, 2018, for necessary expenses related to the
18	consequences of Hurricanes Harvey, Irma or Maria: Pro-
19	vided, That such amount is designated by the Congress
20	as being for an emergency requirement pursuant to sec-
21	tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
22	gency Deficit Control Act of 1985.
23	OPERATION AND MAINTENANCE, MARINE CORPS
24	For an additional amount for "Operation and Main-
25	tenance, Marine Corps", \$17,920,000, to remain available

- 1 until September 30, 2018, for necessary expenses related
- 2 to the consequences of Hurricanes Harvey, Irma or Maria:
- 3 Provided, That such amount is designated by the Congress
- 4 as being for an emergency requirement pursuant to sec-
- 5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 6 gency Deficit Control Act of 1985.
- 7 OPERATION AND MAINTENANCE, AIR FORCE
- 8 For an additional amount for "Operation and Main-
- 9 tenance, Air Force", \$20,916,000, to remain available
- 10 until September 30, 2018, for necessary expenses related
- 11 to the consequences of Hurricanes Harvey, Irma or Maria:
- 12 Provided, That such amount is designated by the Congress
- 13 as being for an emergency requirement pursuant to sec-
- 14 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 15 gency Deficit Control Act of 1985.
- 16 OPERATION AND MAINTENANCE, DEFENSE-WIDE
- 17 For an additional amount for "Operation and Main-
- 18 tenance, Defense-Wide", \$2,650,000, to remain available
- 19 until September 30, 2018, for necessary expenses related
- 20 to the consequences of Hurricanes Harvey, Irma or Maria:
- 21 Provided, That such amount is designated by the Congress
- 22 as being for an emergency requirement pursuant to sec-
- 23 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 24 gency Deficit Control Act of 1985.

- 1 OPERATION AND MAINTENANCE, ARMY RESERVE
- 2 For an additional amount for "Operation and Main-
- 3 tenance, Army Reserve", \$12,500,000, to remain available
- 4 until September 30, 2018, for necessary expenses related
- 5 to the consequences of Hurricanes Harvey, Irma or Maria:
- 6 Provided, That such amount is designated by the Congress
- 7 as being for an emergency requirement pursuant to sec-
- 8 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 9 gency Deficit Control Act of 1985.
- 10 OPERATION AND MAINTENANCE, NAVY RESERVE
- 11 For an additional amount for "Operation and Main-
- 12 tenance, Navy Reserve", \$2,922,000, to remain available
- 13 until September 30, 2018, for necessary expenses related
- 14 to the consequences of Hurricanes Harvey, Irma or Maria:
- 15 Provided, That such amount is designated by the Congress
- 16 as being for an emergency requirement pursuant to sec-
- 17 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 18 gency Deficit Control Act of 1985.
- 19 OPERATION AND MAINTENANCE, AIR FORCE RESERVE
- For an additional amount for "Operation and Main-
- 21 tenance, Air Force Reserve'', \$5,770,000, to remain avail-
- 22 able until September 30, 2018, for necessary expenses re-
- 23 lated to the consequences of Hurricanes Harvey, Irma or
- 24 Maria: Provided, That such amount is designated by the
- 25 Congress as being for an emergency requirement pursuant

to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 3 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD 4 For an additional amount for "Operation and Maintenance, Army National Guard", \$55,471,000, to remain 5 available until September 30, 2018, for necessary expenses 6 related to the consequences of Hurricanes Harvey, Irma 8 or Maria: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pur-10 suant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 11 12 PROCUREMENT 13 OTHER PROCUREMENT, NAVY 14 For an additional amount for "Other Procurement, 15 Navy' \$18,000,000, to remain available until September 30, 2020, for necessary expenses related to the con-16

22 REVOLVING AND MANAGEMENT FUNDS

Deficit Control Act of 1985.

- 23 DEFENSE WORKING CAPITAL FUNDS
- For an additional amount for "Defense Working

sequences of Hurricanes Harvey, Irma or Maria: Provided,

That such amount is designated by the Congress as being

for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency

25 Capital Funds" for the Navy Working Capital Fund,

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1	\$9,486,000, to remain available until September 30, 2018,
2	for necessary expenses related to the consequences of Hur-
3	ricanes Harvey, Irma or Maria: Provided, That such
4	amount is designated by the Congress as being for an
5	emergency requirement pursuant to section
6	251(b)(2)(A)(i) of the Balanced Budget and Emergency
7	Deficit Control Act of 1985.
8	OTHER DEPARTMENT OF DEFENSE PROGRAMS
9	DEFENSE HEALTH PROGRAM
10	For an additional amount for operation and mainte-
11	nance for "Defense Health Program", \$704,000, to re-
12	main available until September 30, 2018, for necessary ex-
13	penses related to the consequences of Hurricanes Harvey,
14	Irma or Maria: Provided, That such amount is designated
15	by the Congress as being for an emergency requirement
16	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
17	et and Emergency Deficit Control Act of 1985.
18	TITLE IV
19	CORPS OF ENGINEERS—CIVIL
20	DEPARTMENT OF THE ARMY
21	Corps of Engineers—Civil
22	INVESTIGATIONS
23	For an additional amount for "Investigations" for
24	necessary expenses related to the consequences of Hurri-
25	canes Harvey, Irma, and Maria, \$75,000,000, to remain

available until expended to expedite and complete at full Federal expense studies, including Preconstruction Engineering and Design, for flood and storm damage reduc-4 tion, including shore protection, in areas that were affected by Hurricanes Harvey, Irma, or Maria: *Provided*, That the Secretary may use funding provided under this heading to complete ongoing studies, to initiate and com-8 plete up to two authorized studies for assessing regional flood and storm risks, and to initiate and complete up to 10 six authorized feasibility studies: Provided further, That the Secretary shall consider giving priority to studies in 12 areas that suffered the most damage from these hurricanes and to studies in areas that have had multiple major disaster declarations in recent years: Provided further, 14 15 That a report identifying all ongoing studies, authorized studies for assessing regional flood and storm risks in the 16 impacted areas, and authorized feasibility studies eligible for funding under this heading, including identification of 18 whether each study is in a category to be considered for 19 priority, shall be submitted to the Committees on Appro-21 priations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act: Provided further, That no allocation shall be made to initiate any new study until the Secretary submits to the Committees on Appropriations of the House of Rep-

- 1 resentatives and the Senate a list of all new studies se-
- 2 lected to be initiated using funds provided under this
- 3 heading: Provided further, That such amount is designated
- 4 by the Congress as an emergency requirement pursuant
- 5 to section 251(b)(2)(A)(i) of the Balanced Budget and
- 6 Emergency Deficit Control Act of 1985: Provided further,
- 7 That beginning not later than 60 days after the date of
- 8 enactment of this Act, the Assistant Secretary of the Army
- 9 for Civil Works shall provide monthly reports to the Com-
- 10 mittees on Appropriations of the House of Representatives
- 11 and the Senate detailing the allocation and obligation of
- 12 these funds.

#### 13 CONSTRUCTION

- 14 For an additional amount for "Construction" for nec-
- 15 essary expenses related to the consequences of natural dis-
- 16 asters, including Hurricanes Harvey, Irma, and Maria,
- 17 \$10,480,000,000, to remain available until expended to re-
- 18 habilitate, repair, and construct United States Army
- 19 Corps of Engineers projects: *Provided*, That \$55,000,000
- 20 of the funds provided under this heading shall be used
- 21 to address emergency situations at Corps of Engineers
- 22 projects, and to rehabilitate and repair damages to Corps
- 23 of Engineers projects, caused by natural disasters: Pro-
- 24 vided further, That \$10,425,000,000 of the funds provided
- 25 under this heading shall be used to expedite construction

of projects for flood and storm damage reduction, including shore protection, in areas that were affected by Hurri-3 canes Harvey, Irma, or Maria: Provided further, That the 4 Secretary shall consider giving priority to projects located in areas that suffered the most damage from these hurricanes and to projects located in areas that have had multiple major disaster declarations in recent years: Provided 8 further, That funding utilized for authorized shore protection projects shall restore such projects from the design 10 level of protection to the full project profile at full Federal expense: Provided further, That the completion of ongoing 11 12 construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: Provided further, That upon approval of the 14 15 Committees on Appropriations of the House of Representatives and the Senate funds provided under this heading 16 may be used to construct any project studied using funds 17 provided under the heading "Investigations" or any 18 project with a completed Chief's Report that has not yet 19 been authorized if the Secretary determines that the 21 project is technically feasible, economically justified, and environmentally acceptable: Provided further, That, using these funds, the non-Federal cash contribution for authorized but unconstructed projects, projects with completed Chief's Reports that have not yet been authorized, or

- 1 projects that are funded as ongoing studies under the
- 2 heading "Investigations" shall be financed in accordance
- 3 with the provisions of section 103(k) of Public Law 99-
- 4 662 over a period of 30 years from the date of completion
- 5 of the project or separable element: Provided further, That
- 6 a report identifying all ongoing construction projects, au-
- 7 thorized but unconstructed projects, and projects with
- 8 completed Chief's Reports that have not yet been author-
- 9 ized, including project cost estimates and identification of
- 10 whether each project is in a category to be considered for
- 11 priority, shall be submitted to the Committees on Appro-
- 12 priations of the House of Representatives and the Senate
- 13 not later than 45 days after the date of enactment of this
- 14 Act: Provided further, That not more than \$500,000,000
- 15 of the funds provided to expedite construction shall be
- 16 available until such report is submitted: Provided further,
- 17 That for projects funded under this heading, the provi-
- 18 sions of section 902 of the Water Resources Development
- 19 Act of 1986 shall not apply to these funds: Provided fur-
- 20 ther, That up to \$50,000,000 of the funds provided to ex-
- 21 pedite construction shall be used to expedite continuing
- 22 authorities projects to reduce the risk of flooding and
- 23 storm damage in areas impacted by Hurricanes Harvey,
- 24 Irma, or Maria: Provided further, That any projects using
- 25 funds appropriated under this heading shall be initiated

- 1 only after non-Federal interests have entered into binding
- 2 agreements with the Secretary requiring the non-Federal
- 3 interests to pay 100 percent of the operation, mainte-
- 4 nance, repair, replacement, and rehabilitation costs of the
- 5 project and to hold and save the United States free from
- 6 damages due to the construction or operation and mainte-
- 7 nance of the project, except for damages due to the fault
- 8 or negligence of the United States or its contractors: Pro-
- 9 vided further, That such amount is designated by the Con-
- 10 gress as an emergency requirement pursuant to section
- 11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 12 Deficit Control Act of 1985: Provided further, That begin-
- 13 ning not later than 60 days after the date of enactment
- 14 of this Act, the Assistant Secretary of the Army for Civil
- 15 Works shall provide monthly reports to the Committees
- 16 on Appropriations of the House of Representatives and the
- 17 Senate detailing the allocation and obligation of these
- 18 funds.
- 19 MISSISSIPPI RIVER AND TRIBUTARIES
- For an additional amount for "Mississippi River and
- 21 Tributaries", \$370,000,000, to remain available until ex-
- 22 pended, for necessary expenses to dredge navigation
- 23 projects in response to, and repair damages to Corps of
- 24 Engineers projects caused by, natural disasters: Provided,
- 25 That such amount is designated by the Congress as an

- 1 emergency requirement pursuant to section
- 2 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 3 Deficit Control Act of 1985: Provided further, That begin-
- 4 ning not later than 60 days after the date of enactment
- 5 of this Act, the Assistant Secretary of the Army for Civil
- 6 Works shall provide monthly reports to the Committees
- 7 on Appropriations of the House of Representatives and the
- 8 Senate detailing the allocation and obligation of these
- 9 funds.

#### 10 OPERATION AND MAINTENANCE

- 11 For an additional amount for "Operation and Main-
- 12 tenance" for necessary expenses to dredge navigation
- 13 projects in response to, and repair damages to Corps of
- 14 Engineers projects caused by, natural disasters,
- 15 \$608,000,000, to remain available until expended, of
- 16 which such sums as are necessary to cover the Federal
- 17 share of eligible operation and maintenance costs for
- 18 coastal harbors and channels, and for inland harbors shall
- 19 be derived from the Harbor Maintenance Trust Fund:
- 20 Provided, That such amount is designated by the Congress
- 21 as an emergency requirement pursuant to section
- 22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 23 Deficit Control Act of 1985: Provided further, That begin-
- 24 ning not later than 60 days after the date of enactment
- 25 of this Act, the Assistant Secretary of the Army for Civil

- 1 Works shall provide monthly reports to the Committees
- 2 on Appropriations of the House of Representatives and the
- 3 Senate detailing the allocation and obligation of these
- 4 funds.
- 5 FLOOD CONTROL AND COASTAL EMERGENCIES
- 6 For an additional amount for "Flood Control and
- 7 Coastal Emergencies", as authorized by section 5 of the
- 8 Act of August 18, 1941 (33 U.S.C. 701n), for necessary
- 9 expenses to prepare for flood, hurricane and other natural
- 10 disasters and support emergency operations, repairs, and
- 11 other activities in response to such disasters, as authorized
- 12 by law, \$537,000,000, to remain available until expended:
- 13 Provided, That such amount is designated by the Congress
- 14 as an emergency requirement pursuant to section
- 15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 16 Deficit Control Act of 1985: Provided further, That begin-
- 17 ning not later than 60 days after the date of enactment
- 18 of this Act, the Assistant Secretary of the Army for Civil
- 19 Works shall provide monthly reports to the Committees
- 20 on Appropriations of the House of Representatives and the
- 21 Senate detailing the allocation and obligation of these
- 22 funds.
- 23 EXPENSES
- For an additional amount for "Expenses" for nec-
- 25 essary expenses related to the consequences of Hurricanes

- 1 Harvey, Irma, and Maria, \$20,000,000, to remain avail-
- 2 able until expended to oversee emergency response and re-
- 3 covery activities: Provided, That such amount is des-
- 4 ignated by the Congress as being for an emergency re-
- 5 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 6 anced Budget and Emergency Deficit Control Act of 1985:
- 7 Provided further, That beginning not later than 60 days
- 8 after the date of enactment of this Act, the Assistant Sec-
- 9 retary of the Army for Civil Works shall provide monthly
- 10 reports to the Committees on Appropriations of the House
- 11 of Representatives and the Senate detailing the allocation
- 12 and obligation of these funds.

## 13 DEPARTMENT OF ENERGY

- 14 ENERGY PROGRAMS
- 15 ELECTRICITY DELIVERY AND ENERGY RELIABILITY
- 16 For an additional amount for "Electricity Delivery
- 17 and Energy Reliability", \$13,000,000, to remain available
- 18 until expended, for necessary expenses related to natural
- 19 disasters, including technical assistance related to electric
- 20 grids: Provided, That such amount is designated by the
- 21 Congress as an emergency requirement pursuant to sec-
- 22 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 23 gency Deficit Control Act of 1985.

1	Strategic Petroleum Reserve
2	For an additional amount for "Strategic Petroleum
3	Reserve", \$8,716,000, to remain available until expended,
4	for necessary expenses related to damages caused by nat-
5	ural disasters: Provided, That such amount is designated
6	by the Congress as an emergency requirement pursuant
7	to section 251(b)(2)(A)(i) of the Balanced Budget and
8	Emergency Deficit Control Act of 1985.
9	GENERAL PROVISION—THIS TITLE
10	SEC. 401. In fiscal year 2018 and each fiscal year
11	thereafter, the Chief of Engineers of the U.S. Army Corps
12	of Engineers shall transmit to the Congress, after reason-
13	able opportunity for comment, but without change, by the
14	Assistant Secretary of the Army for Civil Works, a month-
15	ly report, the first of which shall be transmitted to Con-
16	gress not later than 2 days after the date of enactment
17	of this Act and monthly thereafter, which includes detailed
18	estimates of damages to each Corps of Engineers project,
19	caused by natural disasters or otherwise.
20	TITLE V
21	GENERAL SERVICES ADMINISTRATION
22	FEDERAL BUILDINGS FUND
23	For an additional amount to be deposited in the
24	"Federal Buildings Fund", \$126,951,000, to remain
25	available until expended, for necessary expenses related to

- 1 the consequences of Hurricanes Harvey, Maria, and Irma,
- 2 for repair and alteration of buildings under the custody
- 3 and control of the Administrator of General Services, and
- 4 real property management and related activities not other-
- 5 wise provided for: *Provided*, That funds may be used to
- 6 reimburse the "Federal Buildings Fund" for obligations
- 7 incurred for this purpose prior to enactment of this Act:
- 8 Provided further, That not more than \$15,000,000 shall
- 9 be available for tenant improvements in damaged U.S.
- 10 courthouses: Provided further, That such amount is des-
- 11 ignated by the Congress as being for an emergency re-
- 12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 13 anced Budget and Emergency Deficit Control Act of 1985.
- 14 SMALL BUSINESS ADMINISTRATION
- 15 DISASTER LOANS PROGRAM ACCOUNT
- 16 (INCLUDING TRANSFER OF FUNDS)
- 17 For an additional amount for the "Small Business
- 18 Administration—Disaster Loans Program Account" for
- 19 the cost of direct loans authorized by section 7(b) of the
- 20 Small Business Act, \$1,652,000,000, to remain available
- 21 until expended: Provided, That up to \$618,000,000 may
- 22 be transferred to and merged with "Salaries and Ex-
- 23 penses" for administrative expenses to carry out the dis-
- 24 aster loan program authorized by section 7(b) of the Small
- 25 Business Act: Provided further, That none of the funds

- 1 provided under this heading may be used for indirect ad-
- 2 ministrative expenses: Provided further, That the amount
- 3 provided under this heading is designated by the Congress
- 4 as being for an emergency requirement pursuant to sec-
- 5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 6 gency Deficit Control Act of 1985.
- 7 Office of Inspector General
- 8 For an additional amount for the "Small Business
- 9 Administration—Office of Inspector General",
- 10 \$7,000,000, to remain available until expended: Provided,
- 11 That such amount is designated by the Congress as being
- 12 for an emergency requirement pursuant to section
- 13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 14 Deficit Control Act of 1985.
- 15 TITLE VI
- 16 DEPARTMENT OF HOMELAND SECURITY
- 17 Office of Inspector General
- 18 OPERATIONS AND SUPPORT
- 19 For an additional amount for "Operations and Sup-
- 20 port" for necessary expenses related to the consequences
- 21 of Hurricanes Harvey, Irma, and Maria, \$25,000,000, to
- 22 remain available until September 30, 2020, for audits and
- 23 investigations of activities funded by this title: *Provided*,
- 24 That such amount is designated by the Congress as being
- 25 for an emergency requirement pursuant to section

- 1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 2 Deficit Control Act of 1985.
- 3 U.S. Customs and Border Protection
- 4 OPERATIONS AND SUPPORT
- 5 For an additional amount for "Operations and Sup-
- 6 port" for necessary expenses related to the consequences
- 7 of Hurricanes Harvey, Irma, and Maria, \$104,494,000,
- 8 to remain available until September 30, 2019: Provided,
- 9 That such amount is designated by the Congress as being
- 10 for an emergency requirement pursuant to section
- 11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 12 Deficit Control Act of 1985: Provided further, That not
- 13 more than \$39,400,000 may be used to carry out U.S.
- 14 Customs and Border Protection activities in fiscal year
- 15 2018 in Puerto Rico and the United States Virgin Islands,
- 16 in addition to any other amounts available for such pur-
- 17 poses.
- 18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 19 For an additional amount for "Procurement, Con-
- 20 struction, and Improvements" for necessary expenses re-
- 21 lated to the consequences of Hurricanes Harvey, Irma,
- 22 and Maria, \$3,000,000, to remain available until Sep-
- 23 tember 30, 2022: Provided, That such amount is des-
- 24 ignated by the Congress as being for an emergency re-
- 25 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

- 1 anced Budget and Emergency Deficit Control Act of 1985:
- 2 Provided further, That funds are provided to carry out
- 3 U.S. Customs and Border Protection activities in Puerto
- 4 Rico and the United States Virgin Islands, in addition to
- 5 any other amounts available for such purposes.
- 6 U.S. Immigration and Customs Enforcement
- 7 OPERATIONS AND SUPPORT
- 8 For an additional amount for "Operations and Sup-
- 9 port" for necessary expenses related to the consequences
- 10 of Hurricanes Harvey, Irma, and Maria, \$30,905,000, to
- 11 remain available until September 30, 2019: Provided,
- 12 That such amount is designated by the Congress as being
- 13 for an emergency requirement pursuant to section
- 14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 15 Deficit Control Act of 1985.
- 16 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 17 For an additional amount for "Procurement, Con-
- 18 struction, and Improvements" for necessary expenses re-
- 19 lated to the consequences of Hurricanes Harvey, Irma,
- 20 and Maria, \$33,052,000, to remain available until Sep-
- 21 tember 30, 2022: Provided, That such amount is des-
- 22 ignated by the Congress as being for an emergency re-
- 23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 24 anced Budget and Emergency Deficit Control Act of 1985.

1	Transportation Security Administration
2	OPERATIONS AND SUPPORT
3	For an additional amount for "Operations and Sup-
4	port" for necessary expenses related to the consequences
5	of Hurricanes Harvey, Irma, and Maria, \$10,322,000, to
6	remain available until September 30, 2019: Provided,
7	That such amount is designated by the Congress as being
8	for an emergency requirement pursuant to section
9	251(b)(2)(A)(i) of the Balanced Budget and Emergency
10	Deficit Control Act of 1985.
11	Coast Guard
12	OPERATING EXPENSES
13	For an additional amount for "Operating Expenses"
14	for necessary expenses related to the consequences of Hur-
15	ricanes Harvey, Irma, and Maria, \$112,136,000, to re-
16	main available until September 30, 2019: Provided, That
17	such amount is designated by the Congress as being for
18	an emergency requirement pursuant to section
19	251(b)(2)(A)(i) of the Balanced Budget and Emergency
20	Deficit Control Act of 1985.
21	ENVIRONMENTAL COMPLIANCE AND RESTORATION
22	For an additional amount for "Environmental Com-
23	pliance and Restoration" for necessary expenses related
24	to the consequences of Hurricanes Harvey, Irma, and
25	Maria, \$4,038,000, to remain available until September

- 1 30, 2022: Provided, That such amount is designated by
- 2 the Congress as being for an emergency requirement pur-
- 3 suant to section 251(b)(2)(A)(i) of the Balanced Budget
- 4 and Emergency Deficit Control Act of 1985.
- 5 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
- 6 For an additional amount for "Acquisition, Construc-
- 7 tion, and Improvements" for necessary expenses related
- 8 to the consequences of Hurricanes Harvey, Irma, Maria,
- 9 and Matthew, \$718,919,000, to remain available until
- 10 September 30, 2022: Provided, That such amount is des-
- 11 ignated by the Congress as being for an emergency re-
- 12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 13 anced Budget and Emergency Deficit Control Act of 1985.
- 14 FEDERAL EMERGENCY MANAGEMENT AGENCY
- 15 OPERATIONS AND SUPPORT
- 16 For an additional amount for "Operations and Sup-
- 17 port" for necessary expenses, \$58,800,000, to remain
- 18 available until September 30, 2019: Provided, That such
- 19 amount is designated by the Congress as being for an
- 20 emergency requirement pursuant to section
- 21 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 22 Deficit Control Act of 1985.
- 23 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 24 For an additional amount for "Procurement, Con-
- 25 struction, and Improvements" for necessary expenses,

- 1 \$1,200,000, to remain available until September 30, 2020:
- 2 Provided, That such amount is designated by the Congress
- 3 as being for an emergency requirement pursuant to sec-
- 4 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 5 gency Deficit Control Act of 1985.
- 6 DISASTER RELIEF FUND
- 7 (INCLUDING TRANSFER OF FUNDS)
- 8 For an additional amount for "Disaster Relief Fund"
- 9 for major disasters declared pursuant to the Robert T.
- 10 Stafford Disaster Relief and Emergency Assistance Act
- 11 (42 U.S.C. 5121 et seq.), \$27,500,000,000, to remain
- 12 available until expended: *Provided*, That the Adminis-
- 13 trator of the Federal Emergency Management Agency
- 14 shall publish on the Agency's website not later than 5 days
- 15 after an award of a public assistance grant under section
- 16 406 or 428 of the Robert T. Stafford Disaster Relief and
- 17 Emergency Assistance Act (42 U.S.C. 5172 or 5189f) that
- 18 is in excess of \$1,000,000, the specifics of each such grant
- 19 award: Provided further, That for any mission assignment
- 20 or mission assignment task order to another Federal de-
- 21 partment or agency regarding a major disaster in excess
- 22 of \$1,000,000, not later than 5 days after the issuance
- 23 of such mission assignment or mission assignment task
- 24 order, the Administrator shall publish on the Agency's
- 25 website the following: the name of the impacted State, the

- disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the 3 total cost estimate, and the amount obligated: Provided further, That not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in the preceding proviso is 6 completed and closed out, the Administrator shall update 8 any changes to the total cost estimate and the amount obligated: Provided further, That for a disaster declaration 10 related to Hurricanes Harvey, Irma, or Maria, the Administrator shall submit to the Committees on Appropriations 12 of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this Act, and shall publish 14 15 on the Agency's website, not later than 10 days after the first day of each such month, an estimate or actual 16 17 amount, if available, for the current fiscal year of the cost 18 of the following categories of spending: public assistance, individual assistance, operations, mitigation, administra-19 20 tive, and any other relevant category (including emergency 21 measures and disaster resources): Provided further, That
- 23 the Administrator shall publish on the Agency's website

not later than 10 days after the first day of each month,

- 24 the report (referred to as the Disaster Relief Monthly Re-
- 25 port) as required by Public Law 114–4.

1 Of the amounts provided under this heading for the Disaster Relief Fund, up to \$4,000,000,000 may be trans-3 ferred to the Disaster Assistance Direct Loan Program 4 Account for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) to be used 6 to assist local governments in providing essential services 8 as a result of Hurricanes Harvey, Irma, or Maria: Provided further, That such amounts may subsidize gross obli-10 gations for the principal amount of direct loans not to exceed \$4,000,000,000 under section 417 of the Robert T. 12 Stafford Disaster Relief and Emergency Assistance Act 13 (42 U.S.C. 5184): Provided further, That notwithstanding section 417 of the Robert T. Stafford Disaster Relief and 14 15 Emergency Assistance Act (42 U.S.C. 5184), a territory or possession, and instrumentalities and local governments 16 17 thereof, of the United States shall be deemed to be a local government for purposes of this paragraph: Provided fur-18 19 ther, That notwithstanding section 417(b) of the Robert 20 T. Stafford Disaster Relief and Emergency Assistance Act 21 (42 U.S.C. 5184(b)), the amount of any such loan issued to a territory or possession, and instrumentalities and local governments thereof, may be based on the projected loss of tax and other revenues and on projected cash outlays not previously budgeted for a period not to exceed

- 1 180 days from the date of the major disaster, and may
- 2 exceed \$5,000,000: Provided further, That notwith-
- 3 standing any other provision of law or the constitution of
- 4 a territory or possession that limits the issuance of debt,
- 5 a territory or possession, and instrumentalities and local
- 6 governments thereof, may each receive more than one loan
- 7 with repayment provisions and other terms specific to the
- 8 type of lost tax and other revenues and on projected
- 9 unbudgeted cash outlays for which the loan is provided:
- 10 Provided further, That notwithstanding section 417(c)(1)
- 11 of the Robert T. Stafford Disaster Relief and Emergency
- 12 Assistance Act (42 U.S.C. 5184(c)(1)), loans to a territory
- 13 or possession, and instrumentalities and local governments
- 14 thereof, may be cancelled in whole or in part only at the
- 15 discretion of the Secretary of Homeland Security in con-
- 16 sultation with the Secretary of the Treasury: Provided fur-
- 17 ther, That notwithstanding any other provision of law, the
- 18 Secretary of Homeland Security, in consultation with the
- 19 Secretary of the Treasury, shall determine the terms, con-
- 20 ditions, eligible uses, and timing and amount of Federal
- 21 disbursements of loans issued to a territory or possession,
- 22 and instrumentalities and local governments thereof: Pro-
- 23 vided further, That such costs, including the cost of modi-
- 24 fying such loans, shall be as defined in section 502 of the
- 25 Congressional Budget Act of 1974 (2 U.S.C. 661a): Pro-

- 1 vided further, That the Federal Emergency Management
- 2 Agency may transfer up to 1.5 percent of the amount
- 3 under this paragraph to the Disaster Assistance Direct
- 4 Loan Program Account for administrative expenses to
- 5 carry out under this paragraph the direct loan program,
- 6 as authorized by section 417 of the Robert T. Stafford
- 7 Disaster Relief and Emergency Assistance Act (42 U.S.C.
- 8 5184): Provided further, That of the amount provided
- 9 under this paragraph for transfer, up to \$150,000,000
- 10 may be transferred to the Disaster Assistance Direct Loan
- 11 Program Account for the cost to lend a territory or posses-
- 12 sion of the United States that portion of assistance for
- 13 which the territory or possession is responsible under the
- 14 cost-sharing provisions of the major disaster declaration
- 15 for Hurricanes Irma or Maria, as authorized under section
- 16 319 of the Robert T. Stafford Disaster Relief and Emer-
- 17 gency Assistance Act (42 U.S.C. 5162): Provided further,
- 18 That of the amount provided under this paragraph for
- 19 transfer, up to \$1,000,000 may be transferred to the Dis-
- 20 aster Assistance Direct Loan Program Account for admin-
- 21 istrative expenses to carry out the Advance of Non-Fed-
- 22 eral Share program, as authorized by section 319 of the
- 23 Robert T. Stafford Disaster Relief and Emergency Assist-
- 24 ance Act (42 U.S.C. 5162): Provided further, That the
- 25 amount provided under this heading is designated by the

- 1 Congress as being for an emergency requirement pursuant
- 2 to section 251(b)(2)(A)(i) of the Balanced Budget and
- 3 Emergency Deficit Control Act of 1985.
- 4 Federal Law Enforcement Training Centers
- 5 OPERATIONS AND SUPPORT
- 6 For an additional amount for "Operations and Sup-
- 7 port" for necessary expenses related to the consequences
- 8 of Hurricanes Harvey, Irma, and Maria, \$5,374,000, to
- 9 remain available until September 30, 2019: Provided,
- 10 That such amount is designated by the Congress as being
- 11 for an emergency requirement pursuant to section
- 12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 13 Deficit Control Act of 1985.
- 14 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 15 For an additional amount for "Procurement, Con-
- 16 struction, and Improvements" for necessary expenses re-
- 17 lated to the consequences of Hurricanes Harvey, Irma,
- 18 and Maria, \$5,000,000, to remain available until Sep-
- 19 tember 30, 2022: Provided, That such amount is des-
- 20 ignated by the Congress as being for an emergency re-
- 21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 22 anced Budget and Emergency Deficit Control Act of 1985.
- 23 GENERAL PROVISIONS—THIS TITLE
- Sec. 601. The Administrator of the Federal Emer-
- 25 gency Management Agency may provide assistance, pursu-

- 1 ant to section 428 of the Robert T. Stafford Disaster Re-
- 2 lief and Emergency Assistance Act (42 U.S.C. 5121 et
- 3 seq.), for critical services as defined in section 406 of the
- 4 Robert T. Stafford Disaster Relief and Emergency Assist-
- 5 ance Act for the duration of the recovery for incidents
- 6 DR-4336-PR, DR-4339-PR, DR-4340-USVI, and DR-
- 7 4335–USVI to—
- 8 (1) replace or restore the function of a facility
- 9 or system to industry standards without regard to
- the pre-disaster condition of the facility or system;
- 11 and
- 12 (2) replace or restore components of the facility
- or system not damaged by the disaster where nec-
- essary to fully effectuate the replacement or restora-
- tion of disaster-damaged components to restore the
- function of the facility or system to industry stand-
- 17 ards.
- 18 Sec. 602. (a) The Federal share of assistance, in-
- 19 cluding direct Federal assistance, provided under section
- 20 407 of the Robert T. Stafford Disaster Relief and Emer-
- 21 gency Assistance Act (42 U.S.C. 5173), with respect to
- 22 a major disaster declared pursuant to such Act for dam-
- 23 ages resulting from a wildfire in calendar year 2017, shall
- 24 be 90 percent of the eligible costs under such section.

1	(b) The Federal share provided by subsection (a)
2	shall apply to assistance provided before, on, or after the
3	date of enactment of this Act.
4	TITLE VII
5	DEPARTMENT OF THE INTERIOR
6	FISH AND WILDLIFE SERVICE
7	CONSTRUCTION
8	For an additional amount for "Construction" for nec-
9	essary expenses related to the consequences of Hurricanes
10	Harvey, Irma, and Maria, \$210,629,000, to remain avail-
11	able until expended: Provided, That such amount is des-
12	ignated by the Congress as being for an emergency re-
13	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
14	anced Budget and Emergency Deficit Control Act of 1985.
15	NATIONAL PARK SERVICE
16	HISTORIC PRESERVATION FUND
17	For an additional amount for the "Historic Preserva-
18	tion Fund" for necessary expenses related to the con-
19	sequences of Hurricanes Harvey, Irma, and Maria,
20	\$17,500,000, to remain available until September 30,
21	2019, including costs to States necessary to complete com-
22	pliance activities required by section 306108 of title 54,
23	United States Code (formerly section 106 of the National
24	Historic Preservation Act), and costs needed to administer
25	the program: <i>Provided</i> , That grants shall only be available

- 1 for areas that have received a major disaster declaration
- 2 pursuant to the Robert T. Stafford Disaster Relief and
- 3 Emergency Assistance Act (42 U.S.C. 5121 et seq.): Pro-
- 4 vided further, That individual grants shall not be subject
- 5 to a non-Federal matching requirement: Provided further,
- 6 That such amount is designated by the Congress as being
- 7 for an emergency requirement pursuant to section
- 8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 9 Deficit Control Act of 1985.
- 10 CONSTRUCTION
- 11 For an additional amount for "Construction" for nec-
- 12 essary expenses related to the consequences of Hurricanes
- 13 Harvey, Irma, and Maria, \$207,600,000, to remain avail-
- 14 able until expended: Provided, That such amount is des-
- 15 ignated by the Congress as being for an emergency re-
- 16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 17 anced Budget and Emergency Deficit Control Act of 1985.
- 18 United States Geological Survey
- 19 SURVEYS, INVESTIGATIONS, AND RESEARCH
- For an additional amount for "Surveys, Investiga-
- 21 tions, and Research" for necessary expenses related to the
- 22 consequences of Hurricanes Harvey, Irma, and Maria, and
- 23 in those areas impacted by a major disaster declared pur-
- 24 suant to the Robert T. Stafford Disaster Relief and Emer-
- 25 gency Assistance Act (42 U.S.C. 5121 et seq.) with re-

spect to wildfires in 2017, \$42,246,000, to remain available until expended: Provided, That such amount is des-3 ignated by the Congress as being for an emergency re-4 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-5 anced Budget and Emergency Deficit Control Act of 1985. 6 DEPARTMENTAL OFFICES 7 Insular Affairs 8 ASSISTANCE TO TERRITORIES 9 For an additional amount for "Technical Assistance" 10 for financial management expenses related to the consequences of Hurricanes Irma and Maria, \$3,000,000, to 11 12 remain available until expended: *Provided*, That such amount is designated by the Congress as being for an 14 emergency requirement pursuant to section 15 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 16 17 OFFICE OF INSPECTOR GENERAL 18 SALARIES AND EXPENSES 19 For an additional amount for "Salaries and Expenses" for necessary expenses related to the con-21 sequences of Hurricanes Harvey, Irma, and Maria, 22 \$2,500,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

- 1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 2 Deficit Control Act of 1985.

## 3 ENVIRONMENTAL PROTECTION AGENCY

- 4 Hazardous Substance Superfund
- 5 For an additional amount for "Hazardous Substance
- 6 Superfund" for necessary expenses related to the con-
- 7 sequences of Hurricanes Harvey, Irma, and Maria,
- 8 \$6,200,000, to remain available until expended: *Provided*,
- 9 That such amount is designated by the Congress as being
- 10 for an emergency requirement pursuant to section
- 11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 12 Deficit Control Act of 1985.
- 13 Leaking Underground Storage Tank Fund
- 14 For an additional amount for "Leaking Underground
- 15 Storage Tank Fund" for necessary expenses related to the
- 16 consequences of Hurricanes Harvey, Irma, and Maria,
- 17 \$7,000,000, to remain available until expended: *Provided*,
- 18 That such amount is designated by the Congress as being
- 19 for an emergency requirement pursuant to section
- 20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 21 Deficit Control Act of 1985.

1	DEPARTMENT OF AGRICULTURE
2	FOREST SERVICE
3	STATE AND PRIVATE FORESTRY
4	For an additional amount for "State and Private
5	Forestry" for necessary expenses related to the con-
6	sequences of Hurricanes Harvey, Irma, and Maria,
7	\$7,500,000, to remain available until expended: Provided,
8	That such amount is designated by the Congress as being
9	for an emergency requirement pursuant to section
10	251(b)(2)(A)(i) of the Balanced Budget and Emergency
11	Deficit Control Act of 1985.
12	NATIONAL FOREST SYSTEM
13	For an additional amount for "National Forest Sys-
14	tem" for necessary expenses related to the consequences
15	of Hurricanes Harvey, Irma, and Maria, \$20,652,000, to
16	remain available until expended: Provided, That such
17	amount is designated by the Congress as being for an
18	emergency requirement pursuant to section
19	251(b)(2)(A)(i) of the Balanced Budget and Emergency
20	Deficit Control Act of 1985.
21	CAPITAL IMPROVEMENT AND MAINTENANCE
22	For an additional amount for "Capital Improvement
23	and Maintenance" for necessary expenses related to the
24	consequences of Hurricanes Harvey, Irma, and Maria, and
25	the 2017 fire season \$91,600,000 to remain available

1	until expended: Provided, That such amount is designated
2	by the Congress as being for an emergency requirement
3	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
4	et and Emergency Deficit Control Act of 1985.
5	GENERAL PROVISION—THIS TITLE
6	Sec. 701. Agencies receiving funds appropriated by
7	this title shall each provide a monthly report to the Com-
8	mittees on Appropriations of the House of Representatives
9	and the Senate detailing the allocation and obligation of
10	these funds by account, beginning not later than 90 days
11	after enactment of this Act.
12	TITLE VIII
13	DEPARTMENT OF LABOR
14	EMPLOYMENT AND TRAINING ADMINISTRATION
15	TRAINING AND EMPLOYMENT SERVICES
16	(INCLUDING TRANSFERS OF FUNDS)
17	For an additional amount for "Training and Employ-
18	ment Services", \$30,000,000, for the dislocated workers
19	assistance national reserve for necessary expenses directly
20	related to the consequences of Hurricanes Harvey, Maria,
21	and Irma or the calendar year 2017 wildfires with major
22	disaster or emergency declarations under titles IV or V
23	of the Robert T. Stafford Disaster Relief and Emergency
24	Assistance Act in calendar year 2017, which shall remain
25	available until September 30, 2019: Provided, That these

- 1 sums may be used to replace grant funds previously obli-
- 2 gated to the impacted areas: Provided further, That such
- 3 amount is designated by the Congress as being for an
- 4 emergency requirement pursuant to section
- 5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 6 Deficit Control Act of 1985.
- 7 JOB CORPS
- 8 For an additional amount for "Job Corps" for con-
- 9 struction, rehabilitation and acquisition for Job Corps
- 10 Centers in Puerto Rico, \$30,900,000, which shall be avail-
- 11 able through June 30, 2021: Provided, That such amount
- 12 is designated by the Congress as being for an emergency
- 13 requirement pursuant to section 251(b)(2)(A)(i) of the
- 14 Balanced Budget and Emergency Deficit Control Act of
- 15 1985.
- 16 DEPARTMENT OF HEALTH AND HUMAN
- 17 SERVICES
- 18 Centers for Disease Control and Prevention
- 19 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
- 20 (INCLUDING TRANSFER OF FUNDS)
- 21 For an additional amount for "CDC-Wide Activities"
- 22 and Program Support", \$200,000,000, to remain avail-
- 23 able until expended, for response, recovery, preparation,
- 24 mitigation, and other expenses directly related to the con-
- 25 sequences of Hurricanes Harvey, Irma, or Maria: Pro-

- 1 vided, That obligations incurred for the purposes provided
- 2 herein prior to the date of enactment of this Act may be
- 3 charged to funds appropriated by this paragraph: *Provided*
- 4 further, That of the amount provided, not less than
- 5 \$6,000,000 shall be transferred to the "Buildings and Fa-
- 6 cilities" account for the purposes provided herein: Pro-
- 7 vided further, That such amount is designated by the Con-
- 8 gress as being for an emergency requirement pursuant to
- 9 section 251(b)(2)(A)(i) of the Balanced Budget and
- 10 Emergency Deficit Control Act of 1985.
- Office of the Secretary
- 12 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
- 13 FUND
- 14 (INCLUDING TRANSFERS OF FUNDS)
- For an additional amount for the "Public Health and
- 16 Social Services Emergency Fund", \$177,000,000, to re-
- 17 main available until expended, for response, recovery,
- 18 preparation, mitigation and other expenses directly related
- 19 to the consequences of Hurricanes Harvey, Irma, or
- 20 Maria, including activities authorized under section 319(a)
- 21 of the Public Health Service Act (referred to in this title
- 22 as the "PHS Act"): *Provided*, That \$60,000,000 shall be
- 23 transferred to "Health Resources and Services Adminis-
- 24 tration—Primary Health Care", for expenses related to
- 25 the consequences of Hurricanes Harvey, Irma, or Maria

- 1 for disaster response and recovery, for the Health Centers
- 2 Program under section 330 of the PHS Act: Provided fur-
- 3 ther, That not less than \$50,000,000, of amounts trans-
- 4 ferred under the preceding proviso, shall be available for
- 5 alteration, renovation, construction, equipment, and other
- 6 capital improvement costs as necessary to meet the needs
- 7 of areas affected by Hurricanes Harvey, Irma, or Maria:
- 8 Provided further, That the time limitation in section
- 9 330(e)(3) of the PHS Act shall not apply to funds made
- 10 available under the preceding proviso: Provided further,
- 11 That not less than \$20,000,000 shall be transferred to
- 12 "Substance Abuse and Mental Health Services Adminis-
- 13 tration—Health Surveillance and Program Support" for
- 14 grants, contracts, and cooperative agreements for behav-
- 15 ioral health treatment, crisis counseling, and other related
- 16 helplines, and for other similar programs to provide sup-
- 17 port to individuals impacted by Hurricanes Harvey, Irma,
- 18 or Maria: Provided further, That up to \$2,000,000 shall
- 19 be transferred to "Office of the Secretary—Office of In-
- 20 spector General" for oversight of activities responding to
- 21 such hurricanes: Provided further, That obligations in-
- 22 curred for the purposes provided herein prior to the date
- 23 of enactment of this Act may be charged to funds appro-
- 24 priated under this heading: Provided further, That of the
- 25 funds appropriated in this paragraph, \$15,000,000 shall

- 1 be transferred to the "National Institutes of Health—Of-
- 2 fice of the Director" for the purposes provided in this
- 3 paragraph: Provided further, That funds transferred to the
- 4 National Institutes of Health for the purpose of sup-
- 5 porting the repair or rebuilding of non-Federal biomedical
- 6 or behavioral research facilities damaged as a result of
- 7 Hurricanes Harvey, Irma, or Maria shall be used to award
- 8 grants or contracts for such purpose under section 404I
- 9 of the Public Health Service Act: Provided further, That
- 10 section 404I(c)(2) of such Act does not apply to the use
- 11 of funds described in the preceding proviso: Provided fur-
- 12 ther, That funds appropriated in this paragraph shall not
- 13 be available for costs that are reimbursed by the Federal
- 14 Emergency Management Agency, under a contract for in-
- 15 surance, or by self-insurance: Provided further, That such
- 16 additional amount is designated by the Congress as being
- 17 for an emergency requirement pursuant to section
- 18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 19 Deficit Control Act of 1985.
- 20 Administration for Children and Families
- 21 CHILDREN AND FAMILIES SERVICES PROGRAMS
- For an additional amount for "Children and Families
- 23 Services Programs", \$650,000,000, to remain available
- 24 until September 30, 2021, for Head Start programs, for
- 25 necessary expenses directly related to the consequences of

- 1 Hurricanes Harvey, Irma, or Maria, including making
- 2 payments under the Head Start Act: Provided, That none
- 3 of the funds appropriated in this paragraph shall be in-
- 4 cluded in the calculation of the "base grant" in subsequent
- 5 fiscal years, as such term is defined in sections
- 6 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head
- 7 Start Act: Provided further, That funds appropriated in
- 8 this paragraph are not subject to the allocation require-
- 9 ments of section 640(a) of the Head Start Act: Provided
- 10 further, That funds appropriated in this paragraph shall
- 11 not be available for costs that are reimbursed by the Fed-
- 12 eral Emergency Management Agency, under a contract for
- 13 insurance, or by self-insurance: Provided further, That up
- 14 to \$10,000,000 shall be available for Federal administra-
- 15 tive expenses: Provided further, That obligations incurred
- 16 for the purposes provided herein prior to the date of enact-
- 17 ment of this Act may be charged to funds appropriated
- 18 under this heading: Provided further, That such additional
- 19 amount is designated by the Congress as being for an
- 20 emergency requirement pursuant to section
- 21 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 22 Deficit Control Act of 1985.

1	DEPARTMENT OF EDUCATION
2	Hurricane Education Recovery
3	(INCLUDING TRANSFER OF FUNDS)
4	For an additional amount for "Hurricane Education
5	Recovery" for assisting in meeting the educational needs
6	of individuals affected by Hurricanes Harvey, Irma, or
7	Maria, or calendar year 2017 wildfires for which the Presi-
8	dent declared a major disaster or emergency under section
9	401 or 501 of the Robert T. Stafford Disaster Relief and
10	Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
11	5191) (referred to herein as a "covered disaster or emer-
12	gency"), \$2,900,000,000, to remain available through
13	September 30, 2021: Provided, That such additional
14	amount is designated by the Congress as being for an
15	emergency requirement pursuant to section
16	251(b)(2)(A)(i) of the Balanced Budget and Emergency
17	Deficit Control Act of 1985: Provided further, That—
18	(1) such funds shall be used—
19	(A) to make awards, which shall be avail-
20	able until expended, to eligible entities for im-
21	mediate aid to restart school operations, in ac-
22	cordance with paragraph (2);
23	(B) for temporary emergency impact aid
24	for displaced students, in accordance with para-
25	graph (2);

1	(C) for emergency assistance to institu-
2	tions of higher education and students attend-
3	ing institutions of higher education in an area
4	directly affected by a covered disaster or emer-
5	gency in accordance with paragraph (3);
6	(D) for payments to institutions of higher
7	education to help defray the unexpected ex-
8	penses associated with enrolling displaced stu-
9	dents from institutions of higher education di-
10	rectly affected by a covered disaster or emer-
11	gency, in accordance with paragraph (4); and
12	(E) to provide assistance to local edu-
13	cational agencies serving homeless children and
14	youth in accordance with paragraph (5);
15	(2) immediate aid to restart school operations
16	and temporary emergency impact aid for displaced
17	students described in subparagraphs (A) and (B) of
18	paragraph (1) shall be provided under the statutory
19	terms and conditions that applied to assistance
20	under sections $102$ and $107$ of title IV of division B
21	of Public Law 109–148, respectively, including the
22	nondiscrimination provisions under section 107(m),
23	except that such sections shall be applied so that—
24	(A) each reference to a major disaster de-
25	clared in accordance with section 401 of the

1 Robert T. Stafford Disaster Relief and Emer-2 gency Assistance Act (42 U.S.C. 5170) shall be 3 to a major disaster or emergency declared by 4 the President in accordance with section 401 or 501, respectively, of such Act; 6 (B) each reference to Hurricane Katrina 7 or Hurricane Rita shall be a reference to a cov-8 ered disaster or emergency; 9 (C) each reference to August 22, 2005, 10 when used in relation to a covered disaster or 11 emergency, shall be to the date that is one week 12 prior to the date on which the major disaster or 13 emergency was declared for the area; 14 (D) each reference to the States of Lou-15 isiana, Mississippi, Alabama, and Texas shall be 16 to the States or territories affected by a covered 17 disaster or emergency, and each reference to 18 the State educational agencies of Louisiana, 19 Mississippi, Alabama, or Texas shall be a ref-20 erence to the State educational agencies that 21 serve the states or territories affected by a cov-22 ered disaster or emergency; 23 (E) each reference to the 2005–2006 24 school year shall be to the 2017–2018 school

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year;

1	(F) the references in section $102(h)(1)$ of
2	title IV of division B of Public Law 109–148 to
3	the number of non-public elementary schools
4	and secondary schools in the State shall be to
5	the number of students in non-public elemen-
6	tary schools and secondary schools in the State,
7	and the reference in such section to the 2003–
8	2004 school year shall be to the most recent
9	data set for the 2016–2017 school year;
10	(G) in determining the amount of imme-
11	diate aid provided to restart school operations
12	as described in section 102(b) of title IV of di-
13	vision B of Public Law 109–148, the Secretary
14	shall consider the number of students enrolled,
15	during the 2016–2017 school year, in elemen-
16	tary schools and secondary schools that were
17	closed as a result of a covered disaster or emer-
18	gency;
19	(H) in determining the amount of emer-
20	gency impact aid that a State educational agen-
21	cy is eligible to receive under paragraph (1)(B),
22	the Secretary shall, subject to section
23	107(d)(1)(B) of such title, provide—
24	(i) \$9,000 for each displaced student

who is an English learner, as that term is

1	defined in section 8101 of the Elementary
2	and Secondary Education Act of 1965 (20
3	U.S.C. 7801);
4	(ii) \$10,000 for each displaced stu-
5	dent who is a child with disability (regard-
6	less of whether the child is an English
7	learner); and
8	(iii) \$8,500 for each displaced student
9	who is not a child with a disability or an
10	English learner; and
11	(I) with respect to the emergency impact
12	aid provided under paragraph (1)(B), the Sec-
13	retary may modify the State educational agency
14	and local educational agency application
15	timelines in section 107(c) of such title;
16	(3) up to \$200,000,000 of the funds made
17	available under this heading shall be for programs
18	authorized under subpart 3 of part A and part C of
19	title IV and part B of title VII of the Higher Edu-
20	cation Act of 1965 (20 U.S.C. 1087–51 et seq.,
21	1138 et seq.) for institutions located in an area af-
22	fected by a covered disaster or emergency, and stu-
23	dents enrolled in such institutions, except that—
24	(A) any requirements relating to matching,
25	Federal share, reservation of funds, or mainte-

- nance of effort under such parts that would otherwise be applicable to that assistance shall not apply;
  - (B) such assistance may be used for student financial assistance;
  - (C) such assistance may also be used for faculty and staff salaries, equipment, student supplies and instruments, or any purpose authorized under the Higher Education Act of 1965, by institutions of higher education that are located in areas affected by a covered disaster or emergency; and
  - (D) the Secretary shall prioritize, to the extent possible, students who are homeless or at risk of becoming homeless as a result of displacement, and institutions that have sustained extensive damage, by a covered disaster or emergency;
  - (4) up to \$120,000,000 of the funds made available under this heading shall be for payments to institutions of higher education to help defray the unexpected expenses associated with enrolling displaced students from institutions of higher education at which operations have been disrupted by a covered disaster or emergency, in accordance with cri-

- teria established by the Secretary and made publiclyavailable;
  - (5) \$25,000,000 of the funds made available under this heading shall be available to provide assistance to local educational agencies serving homeless children and youths displaced by a covered disaster or emergency, consistent with section 723 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435) and with section 106 of title IV of division B of Public Law 109–148, except that funds shall be disbursed based on demonstrated need and the number of homeless children and youth enrolled as a result of displacement by a covered disaster or emergency;
    - (6) section 437 of the General Education Provisions Act (20 U.S.C. 1232) and section 553 of title 5, United States Code, shall not apply to activities under this heading;
    - (7) \$4,000,000 of the funds made available under this heading, to remain available through September 30, 2021, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to \$3,000,000 of the funds made available under this

- heading, to remain available through September 30,
  2019, shall be for program administration;
- 3 (8) up to \$35,000,000 of the funds made avail-4 able under this heading shall be to carry out activi-5 ties authorized under section 4631(b) of the Elemen-6 tary and Secondary Education Act of 1965 (20 7 U.S.C. 7281(b)); and
  - (9) the Secretary may waive, modify, or provide extensions for certain requirements of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) for affected individuals, affected students, and affected institutions in covered disaster or emergency areas in the same manner as the Secretary was authorized to waive, modify, or provide extensions for certain requirements of such Act under provisions of subtitle B of title IV of division B of Public Law 109–148 for affected individuals, affected students, and affected institutions in areas affected by Hurricane Katrina and Hurricane Rita, except that the cost associated with any action taken by the Secretary under this paragraph is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

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1	GENERAL PROVISIONS—THIS TITLE
2	(INCLUDING TRANSFERS OF FUNDS)
3	Sec. 801. (a) Notwithstanding section 133(b)(4) of
4	the Workforce Innovation and Opportunity Act, in States,
5	as defined by section 3(56) of such Act, affected by Hurri-
6	canes Harvey, Irma, and Maria, a local board, as defined
7	by section 3(33) of such Act, in a local area, as defined
8	by section 3(32) of such Act, affected by such Hurricanes
9	may transfer, if such transfer is approved by the Gov-
10	ernor, up to 100 percent of the funds allocated to the local
11	area for Program Years 2016 and 2017 for Youth Work-
12	force Investment activities under paragraphs (2) or (3) of
13	section 128(b) of such Act, for Adult employment and
14	training activities under paragraphs (2)(A) or (3) of sec-
15	tion 133(b) of such Act, or for Dislocated Worker employ-
16	ment and training activities under paragraph (2)(B) of
17	section 133(b) of such Act among—
18	(1) adult employment and training activities;
19	(2) dislocated worker employment and training
20	activities; and
21	(3) youth workforce investment activities.
22	(b) Except for the funds reserved to carry out re-
23	quired statewide activities under sections 127(b) and
24	134(a)(2) of the Workforce Innovation and Opportunity
25	Act, the Governor of the United States Virgin Islands may

- 1 authorize the transfer of up to 100 percent of the remain-
- 2 ing funds provided to the United States Virgin Islands for
- 3 Program Years 2016 and 2017 for Youth Workforce In-
- 4 vestment activities under section 127(b)(1)(B) of such
- 5 Act, for Adult employment and training activities under
- 6 section 132(b)(1)(A) of such Act, or for Dislocated Work-
- 7 er employment and training activities under section
- 8 133(b)(2)(A)) of such Act among—
- 9 (1) adult employment and training activities;
- 10 (2) dislocated worker employment and training activi-
- 11 ties; and
- 12 (3) youth workforce investment activities.
- 13 Sec. 802. Funds appropriated by this title may be
- 14 transferred to, and merged with, other appropriation ac-
- 15 counts under the headings "Centers for Disease Control
- 16 and Prevention" and "Public Health and Social Services
- 17 Emergency Fund" for the purposes specified in this title
- 18 following consultation with the Office of Management and
- 19 Budget: *Provided*, That the Committees on Appropriations
- 20 in the House of Representatives and the Senate shall be
- 21 notified 10 days in advance of any such transfer: Provided
- 22 further, That, upon a determination that all or part of the
- 23 funds transferred from an appropriation are not nec-
- 24 essary, such amounts may be transferred back to that ap-
- 25 propriation: Provided further, That none of the funds

- 1 made available by this title may be transferred pursuant
- 2 to the authority in section 205 of division H of Public Law
- 3 115–31 or section 241(a) of the PHS Act.
- 4 Sec. 803. (a) As the Secretary of Health and Human
- 5 Services determines necessary to respond to a critical hir-
- 6 ing need for emergency response positions, after providing
- 7 public notice and without regard to the provisions of sec-
- 8 tions 3309 through 3319 of title 5, United States Code,
- 9 the Secretary may appoint candidates directly to the fol-
- 10 lowing positions to perform critical work directly relating
- 11 to the consequences of Hurricanes Harvey, Irma, or
- 12 Maria:
- 13 (1) Intermittent disaster-response personnel in
- the National Disaster Medical System, under section
- 15 2812 of the PHS Act (42 U.S.C. 300hh–11).
- 16 (2) Term or temporary appointments at the
- 17 Centers for Disease Control and Prevention and the
- 18 Office of the Assistant Secretary for Preparedness
- and Response.
- 20 (b) The authority under subsection (a) shall expire
- 21 270 days after the date of enactment of this section.
- Sec. 804. Notwithstanding any other provision of
- 23 law, the interest payment of the United States Virgin Is-
- 24 lands that was due under section 1202(b)(1) of the Social
- 25 Security Act on September 29, 2017, shall not be due until

- 1 September 28, 2018, and no interest shall accrue on such
- 2 amount through September 28, 2018.
- 3 Sec. 805. Agencies receiving funds appropriated by
- 4 this title shall each provide a monthly report to the Com-
- 5 mittees on Appropriations of the House of Representatives
- 6 and the Senate detailing the allocation and obligation of
- 7 these funds by account, beginning not later than 90 days
- 8 after enactment of this Act.

## 9 TITLE IX

- 10 GOVERNMENT ACCOUNTABILITY OFFICE
- 11 SALARIES AND EXPENSES
- For an additional amount for the Government Ac-
- 13 countability Office for "Salaries and Expenses",
- 14 \$14,000,000, to remain available until expended, for au-
- 15 dits and investigations relating to Hurricanes Harvey,
- 16 Irma, and Maria and the calendar year 2017 wildfires:
- 17 Provided, That not later than 180 days after the date of
- 18 enactment of this Act, GAO shall submit to Congress a
- 19 report describing the United States Virgin Island's eco-
- 20 nomic and disaster recovery plan that defines the prior-
- 21 ities, goals, and expected outcomes of the recovery effort
- 22 based on damage assessments prepared pursuant to Fed-
- 23 eral law: Provided further, That GAO shall report on the
- 24 internal control plans that are in place to provide oversight
- 25 of Federal disaster funds to be used in recovery activities

- 1 in the United States Virgin Islands, identify any defi-
- 2 ciencies in such plans, and provide recommendations to
- 3 address noted deficiencies: Provided further, That such
- 4 amount is designated by the Congress as being for an
- 5 emergency requirement pursuant to section
- 6 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 7 Deficit Control Act of 1985.
- 8 TITLE X
- 9 DEPARTMENT OF DEFENSE
- 10 MILITARY CONSTRUCTION
- 11 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
- 12 For an additional amount for "Military Construction,
- 13 Navy and Marine Corps", \$201,636,000, to remain avail-
- 14 able until September 30, 2022, for necessary expenses re-
- 15 lated to the consequences of Hurricanes Harvey, Irma,
- 16 and Maria: Provided, That none of the funds made avail-
- 17 able to the Navy and Marine Corps for recovery efforts
- 18 related to Hurricanes Harvey, Irma, and Maria in this di-
- 19 vision shall be available for obligation until the Commit-
- 20 tees on Appropriations of the House of Representatives
- 21 and the Senate receive form 1391 for each specific re-
- 22 quest: Provided further, That, not later than 60 days after
- 23 enactment of this Act, the Secretary of the Navy, or his
- 24 designee, shall submit to the Committees on Appropria-
- 25 tions of House of Representatives and the Senate a de-

- 1 tailed expenditure plan for funds provided under this
- 2 heading: Provided further, That such funds may be obli-
- 3 gated or expended for planning and design and military
- 4 construction projects not otherwise authorized by law:
- 5 Provided further, That such amount is designated by the
- 6 Congress as being for an emergency requirement pursuant
- 7 to section 251(b)(2)(A)(i) of the Balanced Budget and
- 8 Emergency Deficit Control Act of 1985.
- 9 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD
- For an additional amount for "Military Construction,
- 11 Army National Guard", \$519,345,000, to remain available
- 12 until September 30, 2022, for necessary expenses related
- 13 to the consequences of Hurricanes Harvey, Irma, and
- 14 Maria: Provided, That none of the funds made available
- 15 to the Army National Guard for recovery efforts related
- 16 to Hurricanes Harvey, Irma, and Maria in this division
- 17 shall be available for obligation until the Committees on
- 18 Appropriations of the House of Representatives and the
- 19 Senate receive form 1391 for each specific request: Pro-
- 20 vided further, That, not later than 60 days after enact-
- 21 ment of this Act, the Director of the Army National
- 22 Guard, or his designee, shall submit to the Committees
- 23 on Appropriations of the House of Representatives and the
- 24 Senate a detailed expenditure plan for funds provided
- 25 under this heading: Provided further, That such funds may

- 1 be obligated or expended for planning and design and mili-
- 2 tary construction projects not otherwise authorized by law:
- 3 Provided further, That such amount is designated by the
- 4 Congress as being for an emergency requirement pursuant
- 5 to section 251(b)(2)(A)(i) of the Balanced Budget and
- 6 Emergency Deficit Control Act of 1985.
- 7 DEPARTMENT OF VETERANS AFFAIRS
- 8 VETERANS HEALTH ADMINISTRATION
- 9 Medical Services
- 10 For an additional amount for "Medical Services",
- 11 \$11,075,000, to remain available until September 30,
- 12 2019, for necessary expenses related to the consequences
- 13 of Hurricanes Harvey, Irma, and Maria: Provided, That
- 14 such amount is designated by the Congress as being for
- 15 an emergency requirement pursuant to section
- 16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 17 Deficit Control Act of 1985.
- 18 MEDICAL SUPPORT AND COMPLIANCE
- 19 For an additional amount for "Medical Support and
- 20 Compliance", \$3,209,000, to remain available until Sep-
- 21 tember 30, 2019, for necessary expenses related to the
- 22 consequences of Hurricanes Harvey, Irma, and Maria:
- 23 Provided, That such amount is designated by the Congress
- 24 as being for an emergency requirement pursuant to sec-

- 1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 2 gency Deficit Control Act of 1985.
- 3 Medical Facilities
- 4 For an additional amount for "Medical Facilities",
- 5 \$75,108,000, to remain available until September 30,
- 6 2022, for necessary expenses related to the consequences
- 7 of Hurricanes Harvey, Irma, and Maria: Provided, That
- 8 none of these funds shall be available for obligation until
- 9 the Secretary of Veterans Affairs submits to the Commit-
- 10 tees on Appropriations of the House of Representatives
- 11 and the Senate a detailed expenditure plan for funds pro-
- 12 vided under this heading: Provided further, That such
- 13 amount is designated by the Congress as being for an
- 14 emergency requirement pursuant to section
- 15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 16 Deficit Control Act of 1985.
- 17 DEPARTMENTAL ADMINISTRATION
- 18 Construction, Minor Projects
- 19 For an additional amount for "Construction, Minor
- 20 Projects", \$4,088,000, to remain available until Sep-
- 21 tember 30, 2022, for necessary expenses related to the
- 22 consequences of Hurricanes Harvey, Irma, and Maria:
- 23 Provided, That such amount is designated by the Congress
- 24 as being for an emergency requirement pursuant to sec-

1	tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2	gency Deficit Control Act of 1985.
3	GENERAL PROVISION—THIS TITLE
4	Sec. 1001. Notwithstanding section 18236(b) of title
5	10, United States Code, the Secretary of Defense shall
6	contribute to Puerto Rico 100 percent of the total cost
7	of construction (including the cost of architectural, engi-
8	neering and design services) for the acquisition, construc-
9	tion, expansion, rehabilitation, or conversion of the Arroyo
10	readiness center under paragraph (5) of section 18233(a)
11	of title 10, United States Code.
12	TITLE XI
13	DEPARTMENT OF TRANSPORTATION
14	FEDERAL AVIATION ADMINISTRATION
15	OPERATIONS
16	(AIRPORT AND AIRWAY TRUST FUND)
17	For an additional amount for "Operations",
18	\$35,000,000, to be derived from the Airport and Airway
19	Trust Fund and to remain available until expended, for
20	necessary expenses related to the consequences of hurri-
21	canes occurring in calendar year 2017: Provided, That
22	such amount is designated by the Congress as being for
23	an emergency requirement pursuant to section
24	251(b)(2)(A)(i) of the Balanced Budget and Emergency
25	Deficit Control Act of 1985.

1	FACILITIES AND EQUIPMENT
2	(AIRPORT AND AIRWAY TRUST FUND)
3	For an additional amount for "Facilities and Equip-
4	ment", \$79,589,000, to be derived from the Airport and
5	Airway Trust Fund and to remain available until ex-
6	pended, for necessary expenses related to the consequences
7	of hurricanes occurring in calendar year 2017: Provided,
8	That such amount is designated by the Congress as being
9	for an emergency requirement pursuant to section
10	251(b)(2)(A)(i) of the Balanced Budget and Emergency
11	Deficit Control Act of 1985.
12	FEDERAL HIGHWAY ADMINISTRATION
13	FEDERAL-AID HIGHWAYS
14	EMERGENCY RELIEF PROGRAM
15	For an additional amount for the Emergency Relief
16	Program as authorized under section 125 of title 23,
17	United States Code, \$1,374,000,000, to remain available
18	until expended: Provided, That notwithstanding section
19	125(d)(4) of title 23, United States Code, no limitation
20	on the total obligations for projects under section 125 of
21	such title shall apply to the United States Virgin Islands,
22	Guam, American Samoa, and the Commonwealth of the
23	Northern Mariana Islands for fiscal year 2018 and fiscal
24	year 2019: Provided further, That notwithstanding section
25	120(i)(1) of title 23, United States Code, for fiscal year

- 1 2018 and each fiscal year thereafter, Puerto Rico may use
- 2 toll credits toward the non-Federal share requirement for
- 3 emergency relief funds made available under section 125
- 4 of such title to respond to damage caused by Hurricanes
- 5 Irma and Maria: Provided further, That such amounts are
- 6 designated by the Congress as being for an emergency re-
- 7 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 8 anced Budget and Emergency Deficit Control Act of 1985.
- 9 Federal Transit Administration
- 10 Public transportation emergency relief program
- 11 For the "Public Transportation Emergency Relief
- 12 Program" as authorized under section 5324 of title 49,
- 13 United States Code, \$269,000,000 to remain available
- 14 until expended, for transit systems affected by Hurricanes
- 15 Harvey, Irma, and Maria with major disaster declarations
- 16 in 2017: Provided, That not more than three-quarters of
- 17 one percent of the funds for public transportation emer-
- 18 gency relief shall be available for administrative expenses
- 19 and ongoing program management oversight as authorized
- 20 under sections 5334 and 5338(f)(2) of such title and shall
- 21 be in addition to any other appropriations for such pur-
- 22 pose: Provided further, That such amounts are designated
- 23 by the Congress as being for an emergency requirement
- 24 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 25 et and Emergency Deficit Control Act of 1985.

1	Maritime Administration
2	OPERATIONS AND TRAINING
3	For an additional amount for "Operations and Train-
4	ing", \$10,000,000, to remain available until expended, for
5	necessary expenses, including for dredging, related to
6	damage to Maritime Administration facilities resulting
7	from Hurricane Harvey: Provided, That such amount is
8	designated by the Congress as being for an emergency re-
9	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
10	anced Budget and Emergency Deficit Control Act of 1985.
11	DEPARTMENT OF HOUSING AND URBAN
12	DEVELOPMENT
13	COMMUNITY PLANNING AND DEVELOPMENT
14	COMMUNITY DEVELOPMENT FUND
15	(INCLUDING TRANSFERS OF FUNDS)
16	For an additional amount for "Community Develop-
17	ment Fund", \$26,060,000,000, to remain available until
18	expended, for necessary expenses for activities authorized
19	under title I of the Housing and Community Development
20	Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
21	relief, long-term recovery, restoration of infrastructure
22	and housing, economic revitalization, and mitigation in the
23	most impacted and distressed areas resulting from a
24	major disaster declared in 2017 (except as otherwise pro-
25	vided under this heading) pursuant to the Robert T. Staf-

- 1 ford Disaster Relief and Emergency Assistance Act (42
- 2 U.S.C. 5121 et seq.): *Provided*, That funds shall be award-
- 3 ed directly to the State, unit of general local government,
- 4 or Indian tribe (as such term is defined in section 102
- 5 of the Housing and Community Development Act of 1974)
- 6 at the discretion of the Secretary: Provided further, That
- 7 of the amounts made available under this heading, up to
- 8 \$13,560,000,000 shall be allocated to meet unmet needs
- 9 for grantees that have received or will receive allocations
- 10 for major disasters declared in 2017, and that such alloca-
- 11 tions shall include the States and units of local govern-
- 12 ment affected by Hurricane Maria: Provided further, That
- 13 of the amounts made available under this heading, no less
- 14 than \$12,500,000,000 shall be allocated for mitigation ac-
- 15 tivities to all grantees of funding provided under this head-
- 16 ing, the same heading in chapter 9 of title X of division
- 17 A of Public Law 113-2, section 420 of division L of Public
- 18 Law 114–113, section 145 of division C of Public Law
- 19 114–223, section 192 of division C of Public Law 114–
- 20 223 (as added by section 101(3) of division A of Public
- 21 Law 114–254), section 421 of division K of Public Law
- 22 115–31, and the same heading in division B of Public Law
- 23 115-56, and that such mitigation activities shall be sub-
- 24 ject to the same terms and conditions of this heading, as
- 25 determined by the Secretary: Provided further, That all

such grantees shall receive an allocation of funds under the preceding proviso in the same proportion that the 3 amount of funds each grantee received or will receive 4 under the second proviso of this heading or the headings and sections specified in the previous proviso bears to the 6 amount of all funds provided to all grantees specified in the previous proviso: Provided further, That of the 8 amounts made available under the second and third provisos of this heading, the Secretary shall allocate to all 10 such grantees an aggregate amount of not less than 33 percent of each such amount of funds provided under this heading within 60 days after the date of enactment of this Act based on the best available data: Provided further, That the Secretary shall not prohibit the use of funds 14 made available under this heading and the same heading in division B of Public Law 115–56 for non-federal share 16 17 as authorized by section 105(a)(9) of the Housing and 18 Community Development Act of 1974 (42 U.S.C. 19 5305(a)(9)): Provided further, That of the amounts made available under this heading, grantees may establish grant 20 21 programs to assist small businesses to recover from eco-22 nomic losses: Provided further, That as a condition of 23 making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate

- 1 procedures to prevent any duplication of benefits as de-
- 2 fined by section 312 of the Robert T. Stafford Disaster
- 3 Relief and Emergency Assistance Act (42 U.S.C. 5155),
- 4 to ensure timely expenditure of funds, to maintain com-
- 5 prehensive websites regarding all disaster recovery activi-
- 6 ties assisted with these funds, and to detect and prevent
- 7 waste, fraud, and abuse of funds: Provided further, That
- 8 the Secretary shall require grantees to maintain on a pub-
- 9 lic website information containing common reporting cri-
- 10 teria established by the Department that permits individ-
- 11 uals and entities awaiting assistance and the general pub-
- 12 lie to see how all grant funds are used, including copies
- 13 of all relevant procurement documents, grantee adminis-
- 14 trative contracts and details of ongoing procurement proc-
- 15 esses, as determined by the Secretary: Provided further,
- 16 That prior to the obligation of funds a grantee shall sub-
- 17 mit a plan to the Secretary for approval detailing the pro-
- 18 posed use of all funds, including criteria for eligibility and
- 19 how the use of these funds will address long-term recovery,
- 20 restoration of infrastructure and housing, economic revi-
- 21 talization, and mitigation in the most impacted and dis-
- 22 tressed areas: Provided further, That such funds may not
- 23 be used for activities reimbursable by, or for which funds
- 24 are made available by, the Federal Emergency Manage-
- 25 ment Agency or the Army Corps of Engineers: Provided

- 1 further, That funds allocated under this heading shall not
- 2 be considered relevant to the non-disaster formula alloca-
- 3 tions made pursuant to section 106 of the Housing and
- 4 Community Development Act of 1974 (42 U.S.C. 5306):
- 5 Provided further, That a State, unit of general local gov-
- 6 ernment, or Indian tribe may use up to 5 percent of its
- 7 allocation for administrative costs: Provided further, That
- 8 the sixth proviso under this heading in the Supplemental
- 9 Appropriations for Disaster Relief Requirements, 2017
- 10 (division B of Public Law 115–56) is amended by striking
- 11 "State or subdivision thereof" and inserting "State, unit
- 12 of general local government, or Indian tribe (as such term
- 13 is defined in section 102 of the Housing and Community
- 14 Development Act of 1974 (42 U.S.C. 5302))": Provided
- 15 further, That in administering the funds under this head-
- 16 ing, the Secretary of Housing and Urban Development
- 17 may waive, or specify alternative requirements for, any
- 18 provision of any statute or regulation that the Secretary
- 19 administers in connection with the obligation by the Sec-
- 20 retary or the use by the recipient of these funds (except
- 21 for requirements related to fair housing, nondiscrimina-
- 22 tion, labor standards, and the environment), if the Sec-
- 23 retary finds that good cause exists for the waiver or alter-
- 24 native requirement and such waiver or alternative require-
- 25 ment would not be inconsistent with the overall purpose

- 1 of title I of the Housing and Community Development Act
- 2 of 1974: Provided further, That, notwithstanding the pre-
- 3 ceding proviso, recipients of funds provided under this
- 4 heading that use such funds to supplement Federal assist-
- 5 ance provided under section 402, 403, 404, 406, 407,
- 6 408(c)(4), or 502 of the Robert T. Stafford Disaster Re-
- 7 lief and Emergency Assistance Act (42 U.S.C. 5121 et
- 8 seq.) may adopt, without review or public comment, any
- 9 environmental review, approval, or permit performed by
- 10 a Federal agency, and such adoption shall satisfy the re-
- 11 sponsibilities of the recipient with respect to such environ-
- 12 mental review, approval or permit: Provided further, That,
- 13 notwithstanding section 104(g)(2) of the Housing and
- 14 Community Development Act of 1974 (42 U.S.C.
- 15 5304(g)(2)), the Secretary may, upon receipt of a request
- 16 for release of funds and certification, immediately approve
- 17 the release of funds for an activity or project assisted
- 18 under this heading if the recipient has adopted an environ-
- 19 mental review, approval or permit under the preceding
- 20 proviso or the activity or project is categorically excluded
- 21 from review under the National Environmental Policy Act
- 22 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That
- 23 the Secretary shall publish via notice in the Federal Reg-
- 24 ister any waiver, or alternative requirement, to any statute
- 25 or regulation that the Secretary administers pursuant to

- 1 title I of the Housing and Community Development Act
- 2 of 1974 no later than 5 days before the effective date of
- 3 such waiver or alternative requirement: Provided further,
- 4 That the eighth proviso under this heading in the Supple-
- 5 mental Appropriations for Disaster Relief Requirements,
- 6 2017 (division B of Public Law 115-56) is amended by
- 7 inserting "408(c)(4)," after "407,": Provided further,
- 8 That of the amounts made available under this heading,
- 9 up to \$10,000,000 shall be made available for capacity
- 10 building and technical assistance, including assistance on
- 11 contracting and procurement processes, to support States,
- 12 units of general local government, or Indian tribes (and
- 13 their subrecipients) that receive allocations pursuant to
- 14 this heading, received disaster recovery allocations under
- 15 the same heading in Public Law 115–56, or may receive
- 16 similar allocations for disaster recovery in future appro-
- 17 priations Acts: Provided further, That of the amounts
- 18 made available under this heading, up to \$10,000,000
- 19 shall be transferred, in aggregate, to "Department of
- 20 Housing and Urban Development—Program Office Sala-
- 21 ries and Expenses—Community Planning and Develop-
- 22 ment" for necessary costs, including information tech-
- 23 nology costs, of administering and overseeing the obliga-
- 24 tion and expenditure of amounts under this heading: Pro-
- 25 vided further, That the amount specified in the preceding

proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 3 115–56 and the aggregate of such amounts shall be avail-4 able for any of the purposes specified under this heading or the same heading in Public Law 115–56 without limitation: Provided further, That of the funds made available under this heading, \$10,000,000 shall be transferred to 8 the Office of the Inspector General for necessary costs of overseeing and auditing funds made available under this 10 heading: Provided further, That any funds made available under this heading that remain available, after the other 12 funds under such heading have been allocated for necessary expenses for activities authorized under such heading, shall be used for additional activities, including miti-14 15 gation, in the most impacted and distressed areas resulting from major disasters declared in 2011 and subsequent 16 years: Provided further, That such remaining funds shall be awarded to grantees of funding provided for disaster 18 relief under this heading, the same heading in chapter 9 19 20 of title X of division A of Public Law 113–2, section 420 21 of division L of Public Law 114–113, section 145 of division C of Public Law 114–223, section 192 of division C 23 of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division

K of Public Law 115–31, and the same heading in division

- 1 B of Public Law 115–56, subject to the same terms and
- 2 conditions under this heading and such headings and sec-
- 3 tions respectively: Provided further, That each such grant-
- 4 ee shall receive an allocation from such remaining funds
- 5 in the same proportion that the amount of funds such
- 6 grantee received under the second proviso under this head-
- 7 ing and under the Acts specified in the previous proviso
- 8 bears to the amount of all funds provided to all grantees
- 9 specified in the previous proviso: Provided further, That
- 10 such amount is designated by the Congress as being for
- 11 an emergency requirement pursuant to section
- 12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 13 Deficit Control Act of 1985.
- 14 TITLE XII
- 15 GENERAL PROVISIONS—THIS DIVISION
- 16 Sec. 1201. Each amount appropriated or made avail-
- 17 able by this division is in addition to amounts otherwise
- 18 appropriated for the fiscal year involved.
- 19 Sec. 1202. No part of any appropriation contained
- 20 in this division shall remain available for obligation beyond
- 21 the current fiscal year unless expressly so provided herein.
- Sec. 1203. Unless otherwise provided for by this divi-
- 23 sion, the additional amounts appropriated by this division
- 24 to appropriations accounts shall be available under the au-

- thorities and conditions applicable to such appropriations
   accounts for fiscal year 2018.
   SEC. 1204. The terms and conditions applicable to
   the funds provided in this division, including those pro-
- 5 vided by this title, shall also apply to the funds made avail-
- 6 able in division B of Public Law 115–56 and in division
- 7 A of Public Law 115–72.
- 8 Sec. 1205. Each amount designated in this division
- 9 by the Congress as being for an emergency requirement
- 10 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 11 et and Emergency Deficit Control Act of 1985 shall be
- 12 available only if the President subsequently so designates
- 13 all such amounts and transmits such designations to the
- 14 Congress.
- 15 Sec. 1206. (a) Section 305 of division A of the Addi-
- 16 tional Supplemental Appropriations for Disaster Relief
- 17 Requirements Act, 2017 (Public Law 115–72) is amend-
- 18 ed—
- 19 (1) in subsection (a)—
- 20 (A) by striking "(1) Not later than Decem-
- ber 31, 2017," and inserting "Not later than
- 22 March 31, 2018,"; and
- 23 (B) by striking paragraph (2); and
- 24 (2) in subsection (b), by striking "receiving
- funds under this division" and inserting "expending

- 1 more than \$10,000,000 of funds provided by this di-
- 2 vision and division B of Public Law 115–56 in any
- one fiscal year".
- 4 (b) Section 305 of division A of the Additional Sup-
- 5 plemental Appropriations for Disaster Relief Require-
- 6 ments Act, 2017 (Public Law 115–72), as amended by
- 7 this section, shall apply to funds appropriated by this divi-
- 8 sion as if they had been appropriated by that division.
- 9 (c) In order to proactively prepare for oversight of
- 10 future disaster relief funding, not later than one year after
- 11 the date of enactment of this Act, the Director of the Of-
- 12 fice of Management and Budget shall issue standard guid-
- 13 ance for Federal agencies to use in designing internal con-
- 14 trol plans for disaster relief funding. This guidance shall
- 15 leverage existing internal control review processes and
- 16 shall include, at a minimum, the following elements:
- 17 (1) Robust criteria for identifying and documenting
- 18 incremental risks and mitigating controls related to the
- 19 funding.
- 20 (2) Guidance for documenting the linkage between
- 21 the incremental risks related to disaster funding and ef-
- 22 forts to address known internal control risks.
- Sec. 1207. Any agency or department provided fund-
- 24 ing in excess of \$3,000,000,000 by this division, including
- 25 the Federal Emergency Management Agency, the Depart-

1	ment of Housing and Urban Development, and the Corps
2	of Engineers, is directed to provide a report to the Com-
3	mittee on Appropriations of the House of Representatives
4	regarding its efforts to provide adequate resources and
5	technical assistance for small, low-income communities af-
6	fected by natural disasters.
7	Sec. 1208. (a) Not later than 180 days after the date
8	of enactment of this Act and in coordination with the Ad-
9	ministrator of the Federal Emergency Management Agen-
10	cy, with support and contributions from the Secretary of
11	the Treasury, the Secretary of Energy, and other Federal
12	agencies having responsibilities defined under the National
13	Disaster Recovery Framework, the Governor of the Com-
14	monwealth of Puerto Rico shall submit to Congress a re-
15	port describing the Commonwealth's 12- and 24-month
16	economic and disaster recovery plan that—
17	(1) defines the priorities, goals, and expected
18	outcomes of the recovery effort for the Common-
19	wealth, based on damage assessments prepared pur-
20	suant to Federal law, if applicable, including—
21	(A) housing;
22	(B) economic issues, including workforce
23	development and industry expansion and cul-
24	tivation;
25	(C) health and social services.

1	(D) natural and cultural resources;
2	(E) governance and civic institutions;
3	(F) electric power systems and grid res-
4	toration;
5	(G) environmental issues, including solid
6	waste facilities; and
7	(H) other infrastructure systems, including
8	repair, restoration, replacement, and improve-
9	ment of public infrastructure such water and
10	wastewater treatment facilities, communications
11	networks, and transportation infrastructure;
12	(2) is consistent with—
13	(A) the Commonwealth's fiscal capacity to
14	provide long-term operation and maintenance of
15	rebuilt or replaced assets;
16	(B) alternative procedures and associated
17	programmatic guidance adopted by the Admin-
18	istrator of the Federal Emergency Management
19	Administration pursuant to section 428 of the
20	Robert T. Stafford Disaster Relief and Emer-
21	gency Assistance Act (42 U.S.C. 5189f); and
22	(C) actions as may be necessary to miti-
23	gate vulnerabilities to future extreme weather
24	events and natural disasters and increase com-
25	munity resilience, including encouraging the

adoption and enforcement of the latest pub-1 2 editions of relevant consensus-based lished codes, specifications, and standards that incor-3 4 porate the latest hazard-resistant designs and establish minimum acceptable criteria for the 6 design, construction, and maintenance of resi-7 dential structures and facilities for the purpose 8 of protecting the health, safety, and general 9 welfare of the buildings' users against disasters;

- (3) promotes transparency and accountability through appropriate public notification, outreach, and hearings;
- (4) identifies performance metrics for assessing and reporting on the progress toward achieving the Commonwealth's recovery goals, as identified under paragraph (1);
- (5) is developed in coordination with the Oversight Board established under PROMESA; and
- 19 (6) is certified by that Oversight Board to be 20 consistent with the purpose set forth in section 101(a) of PROMESA (48 U.S.C. 2121(a)).
- 22 (b) At the end of every 30-day period before the sub-23 mission of the report described in subsection (a), the Governor of the Commonwealth of Puerto Rico, in coordination with the Administrator of the Federal Emergency

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- 1 Management Agency, shall provide to Congress interim
- 2 status updates on progress developing such report.
- 3 (c) At the end of every 180-day period after the sub-
- 4 mission of the report described in subsection (a), the Gov-
- 5 ernor of the Commonwealth of Puerto Rico, in coordina-
- 6 tion with the Administrator of the Federal Emergency
- 7 Management Agency, shall make public a report on
- 8 progress achieving the goals set forth in such report.
- 9 (d) During the development, and after the submis-
- 10 sion, of the report require by in subsection (a), the Over-
- 11 sight Board may provide to Congress reports on the status
- 12 of coordination with the Governor of Puerto Rico.
- (e) Amounts made available by this division to a cov-
- 14 ered territory for response to or recovery from Hurricane
- 15 Irma or Hurricane Maria in an aggregate amount greater
- 16 than \$10,000,000 may be reviewed by the Oversight
- 17 Board under the Oversight Board's authority under
- 18 204(b)(2) of PROMESA (48 U.S.C. 2144(b)(2)).
- 19 (f) When developing a Fiscal Plan while the recovery
- 20 plan required under subsection (a) is in development and
- 21 in effect, the Oversight Board shall use and incorporate,
- 22 to the greatest extent feasible, damage assessments pre-
- 23 pared pursuant to Federal law.

- 1 (g) For purposes of this section, the terms "covered
- 2 territory" and "Oversight Board" have the meaning given
- 3 those term in section 5 of PROMESA (48 U.S.C. 2104).
- 4 This division may be cited as the "Further Additional
- 5 Supplemental Appropriations for Disaster Relief Require-
- 6 ments, 2017".

# 7 **DIVISION B—DISASTER**

# 8 RECOVERY REFORM ACT

- Sec. 2001. Applicability.
- Sec. 2002. State defined.
- Sec. 2003. Wildfire prevention.
- Sec. 2004. Additional activities.
- Sec. 2005. Eligibility for code implementation and enforcement.
- Sec. 2006. Program improvements.
- Sec. 2007. Prioritization of facilities.
- Sec. 2008. Guidance on evacuation routes.
- Sec. 2009. Duplication of benefits.
- Sec. 2010. State administration of assistance for direct temporary housing and permanent housing construction.
- Sec. 2011. Assistance to individuals and households.
- Sec. 2012. Multifamily lease and repair assistance.
- Sec. 2013. Federal disaster assistance nonprofit fairness.
- Sec. 2014. Management costs.
- Sec. 2015. Flexibility.
- Sec. 2016. Additional disaster assistance.
- Sec. 2017. National veterinary emergency teams.
- Sec. 2018. Dispute resolution pilot program.
- Sec. 2019. Emergency relief.
- Sec. 2020. Unified Federal environmental and historic preservation review.
- Sec. 2021. Closeout incentives.
- Sec. 2022. Performance of services.
- Sec. 2023. Study to streamline and consolidate information collection.
- Sec. 2024. Agency accountability.
- Sec. 2025. Audit of contracts.
- Sec. 2026. Inspector general audit of FEMA contracts for tarps and plastic sheeting.
- Sec. 2027. Relief organizations.
- Sec. 2028. Guidance on inundated and submerged roads.
- Sec. 2029. Authorities.
- Sec. 2030. Recoupment of certain assistance prohibited.
- Sec. 2031. Statute of limitations.
- Sec. 2032. Technical assistance and recommendations.
- Sec. 2033. Guidance on hazard mitigation assistance.
- Sec. 2034. Local impact.

- Sec. 2035. Additional hazard mitigation activities.
- Sec. 2036. National public infrastructure predisaster hazard mitigation.
- Sec. 2037. Additional mitigation activities.
- Sec. 2038. Federal cost-share adjustments for repair, restoration, and replacement of damaged facilities.

#### 1 SEC. 2001. APPLICABILITY.

- 2 Except as otherwise expressly provided, the amend-
- 3 ments in this division to the Robert T. Stafford Disaster
- 4 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
- 5 seq.) apply to each major disaster and emergency declared
- 6 by the President on or after August 1, 2017, under such
- 7 Act.

#### 8 SEC. 2002. STATE DEFINED.

- 9 In this division, the term "State" has the meaning
- 10 given that term in section 102(4) of the Robert T. Staf-
- 11 ford Disaster Relief and Emergency Assistance Act (42
- 12 U.S.C. 5122(4)).

#### 13 SEC. 2003. WILDFIRE PREVENTION.

- 14 (a) MITIGATION ASSISTANCE.—Section 420 of the
- 15 Robert T. Stafford Disaster Relief and Emergency Assist-
- 16 ance Act (42 U.S.C. 5187) is amended—
- 17 (1) by redesignating subsection (d) as sub-
- section (e); and
- 19 (2) by inserting after subsection (c) the fol-
- 20 lowing:
- 21 "(d) Hazard Mitigation Assistance.—Whether
- 22 or not a major disaster is declared, the President may pro-
- 23 vide hazard mitigation assistance in accordance with sec-

tion 404 in any area affected by a fire for which assistance was provided under this section.". 3 (b) Conforming Amendments.—The Robert T. 4 Stafford Disaster Relief and Emergency Assistance Act 5 (42 U.S.C. 5121 et seq.) is amended— 6 (1) in section 404(a) (42 U.S.C. 5170c(a)) (as 7 amended by section 37(a) of this Act)— 8 (A) by inserting before the first period ", 9 or any area affected by a fire for which assist-10 ance was provided under section 420"; and 11 (B) in the third sentence by inserting "or event under section 420" after "major disaster" 12 13 each place it appears; and 14 (2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)), 15 by inserting "or event under section 420" after "major disaster" each place it appears. 16 17 (c) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act and annually 18 thereafter, the Administrator of the Federal Emergency 19 20 Management Agency shall submit to the Committee on 21 Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure

of the House of Representatives, and the Appropriations

Committees of the Senate and the House of Representa-

tives a report containing a summary of any projects car-

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- 1 ried out, and any funding provided to those projects,
- 2 under subsection (d) of section 420 of the Robert T. Staf-
- 3 ford Disaster Relief and Emergency Assistance Act (42)
- 4 U.S.C. 5187) (as amended by this section).

#### 5 SEC. 2004. ADDITIONAL ACTIVITIES.

- 6 Section 404 of the Robert T. Stafford Disaster Relief
- 7 and Emergency Assistance Act (42 U.S.C. 5170c) is
- 8 amended by adding at the end the following:
- 9 "(f) Use of Assistance.—Recipients of hazard
- 10 mitigation assistance provided under this section and sec-
- 11 tion 203 may use the assistance to conduct activities to
- 12 help reduce the risk of future damage, hardship, loss, or
- 13 suffering in any area affected by a wildfire or windstorm,
- 14 including—
- 15 "(1) reseeding ground cover with quick-growing
- or native species;
- 17 "(2) mulching with straw or chipped wood;
- 18 "(3) constructing straw, rock, or log dams in
- small tributaries to prevent flooding;
- 20 "(4) placing logs and other erosion barriers to
- 21 catch sediment on hill slopes;
- 22 "(5) installing debris traps to modify road and
- trail drainage mechanisms;
- 24 "(6) modifying or removing culverts to allow
- drainage to flow freely;

1	"(7) adding drainage dips and constructing
2	emergency spillways to keep roads and bridges from
3	washing out during floods;
4	"(8) planting grass to prevent the spread of
5	noxious weeds;
6	"(9) installing warning signs;
7	"(10) establishing defensible space measures;
8	"(11) reducing hazardous fuels; and
9	"(12) windstorm damage, including replacing or
10	installing electrical transmission or distribution util-
11	ity pole structures with poles that are resilient to ex-
12	treme wind and combined ice and wind loadings for
13	the basic wind speeds and ice conditions associated
14	with the relevant location.".
14	with the relevant location.".  SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND
14 15	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND
14 15 16 17	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.
14 15 16 17	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.  Section 406(a)(2) of the Robert T. Stafford Disaster
14 15 16 17 18	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.  Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C.
14 15 16 17 18	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.  Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)) is amended—
14 15 16 17 18 19 20	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.  Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)) is amended—  (1) by striking "and" at the end of subpara-
14 15 16 17 18 19 20 21	SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.  Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)) is amended—  (1) by striking "and" at the end of subparagraph (B);

1	"(D) base and overtime wages for extra
2	hires to facilitate the implementation and en-
3	forcement of adopted building codes for a pe-
4	riod of not more than 180 days after the major
5	disaster is declared.".
6	SEC. 2006. PROGRAM IMPROVEMENTS.
7	(a) Hazard Mitigation.—Section 406(c) of the
8	Robert T. Stafford Disaster Relief and Emergency Assist-
9	ance Act (42 U.S.C. 5172(c)) is amended—
10	(1) in paragraph (1)(A), by striking "90 per-
11	cent of"; and
12	(2) in paragraph (2)(A), by striking "75 per-
13	cent of".
14	(b) Participation.—Section 428(d) of such Act (42
15	U.S.C. 5189f) is amended—
16	(1) by inserting "(1) In General.—" before
17	"Participation in"; and
18	(2) by adding at the end the following:
19	"(2) No conditions.—The President may not
20	condition the provision of Federal assistance under
21	this Act on the election by a State, Tribal, or local
22	government, or owner or operator of a private non-
23	profit facility to participate in the alternative proce-
24	dures adopted under this section "

1	(c) Certification.—Section 428(e)(1) of such Act
2	(42 U.S.C. 5189f(e)(1)) is amended—
3	(1) in subparagraph (E), by striking "and" at
4	the end;
5	(2) in subparagraph (F), by striking the period
6	and inserting "; and; and
7	(3) by adding at the end the following:
8	"(G) once certified by a professionally li-
9	censed engineer and accepted by the Adminis-
10	trator, the estimates on which grants made pur-
11	suant to this section are based shall be pre-
12	sumed to be reasonable and eligible costs, as
13	long as there is no evidence of fraud.".
14	SEC. 2007. PRIORITIZATION OF FACILITIES.
15	Not later than 180 days after the date of enactment
16	of this Act, the Administrator of the Federal Emergency
17	Management Agency shall provide guidance and training
18	on an annual basis to State, Tribal, and local govern-
19	ments, first responders, and utility companies on—
20	(1) the need to prioritize assistance to hospitals,
21	nursing homes, and other long-term care facilities to
22	ensure that such health care facilities remain func-
23	tioning or return to functioning as soon as prac-
24	ticable during power outages caused by natural haz-
25	ards, including severe weather events; and

1 (2) how hospitals, nursing homes and other 2 long-term care facilities should adequately prepare 3 for power outages during a major disaster or emer-4 gency.

#### 5 SEC. 2008. GUIDANCE ON EVACUATION ROUTES.

6 (a) IN GENERAL.—

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- 7 (1) IDENTIFICATION.—The Administrator of 8 the Federal Emergency Management Agency, in co-9 ordination with the Administrator of the Federal 10 Highway Administration, shall develop and issue 11 guidance for State, local, and Tribal governments re-12 garding the identification of evacuation routes.
  - (2) Guidance.—The Administrator of the Federal Highway Administration, in coordination with the Administrator of the Federal Emergency Management Agency, shall revise existing guidance or issue new guidance as appropriate for State, local, and Tribal governments regarding the design, construction, maintenance, and repair of evacuation routes.

### (b) Considerations.—

(1) IDENTIFICATION.—In developing the guidance under subsection (a)(1), the Administrator of the Federal Emergency Management Agency shall consider—

1	(A) whether evacuation routes have re-
2	sisted impacts and recovered quickly from dis-
3	asters, regardless of cause;
4	(B) the need to evacuate special needs pop-
5	ulations, including—
6	(i) individuals with a physical or men-
7	tal disability;
8	(ii) individuals in schools, daycare
9	centers, mobile home parks, prisons, nurs-
10	ing homes and other long-term care facili-
11	ties, and detention centers;
12	(iii) individuals with limited-English
13	proficiency;
14	(iv) the elderly; and
15	(v) individuals who are tourists, sea-
16	sonal workers, or homeless;
17	(C) the sharing of information and other
18	public communications with evacuees during
19	evacuations;
20	(D) the sheltering of evacuees, including
21	the care, protection, and sheltering of animals;
22	(E) the return of evacuees to their homes:
23	and
24	(F) such other items the Administrator
25	considers appropriate.

1	(2) Design, construction, maintenance,
2	AND REPAIR.—In revising or issuing guidance under
3	(a)(2), the Administrator of the Federal Highway
4	Administration shall consider—
5	(A) methods that assist evacuation routes
6	to—
7	(i) withstand likely risks to viability,
8	including flammability and hydrostatic
9	forces;
10	(ii) improve durability, strength (in-
11	cluding the ability to withstand tensile
12	stresses and compressive stresses), and
13	sustainability; and
14	(iii) provide for long-term cost sav-
15	ings;
16	(B) the ability of evacuation routes to ef-
17	fectively manage contraflow operations;
18	(C) for evacuation routes on public lands,
19	the viewpoints of the applicable Federal land
20	management agency regarding emergency oper-
21	ations, sustainability, and resource protection;
22	and
23	(D) such other items the Administrator
24	considers appropriate.

## 1 SEC. 2009. DUPLICATION OF BENEFITS.

2	(a) In General.—Section 312(b) of the Robert T.
3	Stafford Disaster Relief and Emergency Assistance Act
4	(42 U.S.C. 5155(b)) is amended by adding at the end the
5	following:
6	"(4) Waiver of General Prohibition.—
7	"(A) IN GENERAL.—The President may
8	waive the general prohibition provided in sub-
9	section (a) upon request of a Governor on be-
10	half of the State or on behalf of a person, busi-
11	ness concern, or any other entity suffering
12	losses as a result of a major disaster or emer-
13	gency, if the President finds such waiver is in
14	the public interest and will not result in waste,
15	fraud, or abuse. In making this decision, the
16	President may consider the following:
17	"(i) The recommendations of the Ad-
18	ministrator of the Federal Emergency
19	Management Agency made in consultation
20	with the Federal agency or agencies ad-
21	ministering the duplicative program.
22	"(ii) If a waiver is granted, the assist-
23	ance to be funded is cost effective.
24	"(iii) Equity and good conscience.
25	"(iv) Other matters of public policy
26	considered appropriate by the President.

1	"(B) Grant or denial of waiver.—A
2	request under subparagraph (A) shall be grant-
3	ed or denied not later than 45 days after sub-
4	mission of such request.

- "(C) Prohibition on Determination
  That loan is a duplication.—Notwithstanding subsection (c), in carrying out subparagraph (A), the President may not determine that a loan is a duplication of assistance,
  provided that all Federal assistance is used toward a loss suffered as a result of the major
  disaster or emergency.".
- (b) Funding of a Federally Authorized Water
   Resources Development Project.—
  - (1) ELIGIBLE ACTIVITIES.—Notwithstanding section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) and its implementing regulations, assistance provided pursuant to section 404 of such Act may be used to fund activities authorized for construction within the scope of a federally authorized water resources development project of the Army Corps of Engineers if such activities are also eligible activities under such section.

1	(2) Federal funding.—All Federal funding
2	provided under section 404 pursuant to this section
3	shall be applied toward the Federal share of such
4	project.
5	(3) Non-federal match.—All non-federal
6	matching funds required under section 404 pursuant
7	to this section shall be applied toward the non-Fed-
8	eral share of such project.
9	(4) Total federal share.—Funding pro-
10	vided under section 404 pursuant to this section
11	may not exceed the total Federal share for such
12	project.
13	(5) No effect.—Nothing in this section
14	shall—
15	(A) affect the cost-share requirement of a
16	hazard mitigation measure under section 404;
17	(B) affect the eligibility criteria for a haz-
18	ard mitigation measure under section 404;
19	(C) affect the cost share requirements of a
20	federally authorized water resources develop-
21	ment project; and
22	(D) affect the responsibilities of a non-
23	Federal interest with respect to the project, in-
24	cluding those related to the provision of lands,

1	easements, rights-of-way, dredge material dis-
2	posal areas, and necessary relocations.
3	(c) APPLICABILITY.—This section shall apply to each
4	disaster and emergency declared pursuant to the Robert
5	T. Stafford Disaster Relief and Emergency Assistance Act
6	(42 U.S.C. 5121 et seq.) after January 1, 2016.
7	SEC. 2010. STATE ADMINISTRATION OF ASSISTANCE FOR
8	DIRECT TEMPORARY HOUSING AND PERMA-
9	NENT HOUSING CONSTRUCTION.
10	Section 408(f) of the Robert T. Stafford Disaster Re-
11	lief and Emergency Assistance Act (42 U.S.C. 5174(f))
12	is amended—
13	(1) in paragraph (1), by striking the paragraph
14	heading and inserting "STATE- OR TRIBAL-ADMINIS-
15	TERED ASSISTANCE AND OTHER NEEDS ASSIST-
16	ANCE.—'';
17	(2) in paragraph (1)(A)—
18	(A) by striking "financial"; and
19	(B) by striking "subsection (e)" and in-
20	serting "subsections (c)(1)(B), (c)(4), and (e) if
21	the President and the State or Tribal govern-
22	ment comply, as determined by the Adminis-
23	trator, with paragraph (3)";
24	(3) in paragraph (1)(B)—
25	(A) by striking "financial"; and

1	(B) by striking "subsection (e)" and in-
2	serting "subsections $(c)(1)(B)$ , $(c)(4)$ , and $(e)$ ";
3	and
4	(4) by adding at the end the following:
5	"(3) In general.—
6	"(A) APPLICATION.—A State or Tribal
7	government desiring to provide assistance under
8	subsection $(c)(1)(B)$ , $(c)(4)$ , or $(e)$ shall submit
9	to the President an application for a grant to
10	provide financial assistance under the program.
11	"(B) Criteria.—The President, in con-
12	sultation and coordination with State, Tribal,
13	and local governments, shall establish criteria
14	for the approval of applications submitted
15	under subparagraph (A). The criteria shall in-
16	clude, at a minimum—
17	"(i) the demonstrated ability of the
18	State or Tribal government to manage the
19	program under this section;
20	"(ii) there being in effect a plan ap-
21	proved by the President as to how the
22	State or Tribal government will comply
23	with applicable Federal laws and regula-
24	tions and how the State or Tribal govern-
25	ment will provide assistance under its plan:

1	"(iii) a requirement that the State,
2	Tribal, or local government comply with
3	rules and regulations established pursuant
4	to subsection (j); and
5	"(iv) a requirement that the Presi-
6	dent, or the designee of the President,
7	comply with subsection (i).
8	"(C) QUALITY ASSURANCE.—Before ap-
9	proving an application submitted under this
10	section, the President, or the designee of the
11	President, shall institute adequate policies, pro-
12	cedures, and internal controls to prevent waste,
13	fraud, abuse, and program mismanagement for
14	this program and for programs under sub-
15	sections $(c)(1)(B)$ , $(c)(4)$ , and $(e)$ . The Presi-
16	dent shall monitor and conduct quality assur-
17	ance activities on a State or Tribal govern-
18	ment's implementation of programs under sub-
19	sections $(c)(1)(B)$ , $(c)(4)$ , and $(e)$ . If, after ap-
20	proving an application of a State or Tribal gov-
21	ernment submitted under this section, the
22	President determines that the State or Tribal
23	government is not administering the program
24	established by this section in a manner satisfac-

tory to the President, the President shall withdraw the approval.

- "(D) Audits.—The Office of the inspector general shall provide for periodic audits of the programs administered by States and Tribal governments under this subsection.
- "(E) APPLICABLE LAWS.—All Federal laws applicable to the management, administration, or contracting of the programs by the Federal Emergency Management Agency under this section shall be applicable to the management, administration, or contracting by a non-Federal entity under this section.
- "(F) Report.—Not later than 18 months after the date of enactment of this paragraph, the inspector general of the Department of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the State or Tribal government's role to provide assistance under this section. The report shall contain an assessment of the effectiveness of the State or Tribal

1	government's role to provide assistance under
2	this section, including—
3	"(i) whether the State or Tribal gov-
4	ernment's role helped to improve the gen-
5	eral speed of disaster recovery;
6	"(ii) whether the State or Tribal gov-
7	ernment providing assistance under this
8	section had the capacity to administer this
9	section; and
10	"(iii) recommendations for changes to
11	improve the program if the State or Tribal
12	government's role to administer the pro-
13	grams should be continued.
14	"(G) Prohibition.—The President may
15	not condition the provision of Federal assist-
16	ance under this Act by a State or Tribal gov-
17	ernment requesting a grant under this section.
18	"(H) MISCELLANEOUS.—
19	"(i) Notice and comment.—The
20	Administrator may waive notice and com-
21	ment rulemaking, if the Administrator de-
22	termines doing so is necessary to expedi-
23	tiously implement this section, and may
24	carry out this section as a pilot program
25	until such regulations are promulgated.

1	"(ii) Final rule.—Not later than 2
2	years after the date of enactment of this
3	paragraph, the Administrator shall issue
4	final regulations to implement this sub-
5	section as amended by the Disaster Recov-
6	ery Reform Act.
7	"(iii) Waiver and expiration.—The
8	authority under clause (i) and any pilot
9	program implemented pursuant to such
10	clause shall expire 2 years after the date of
11	enactment of this paragraph or upon
12	issuance of final regulations pursuant to
13	clause (ii), whichever occurs sooner.".
14	SEC. 2011. ASSISTANCE TO INDIVIDUALS AND HOUSE-
15	HOLDS.
16	Section 408(h) of the Robert T. Stafford Disaster
17	Relief and Emergency Assistance Act (42 U.S.C. 5174(h))
18	is amended—
19	(1) in paragraph (1), by inserting ", excluding
20	financial assistance to rent alternate housing accom-
21	modations under subsection (c)(1)(A)(i) and finan-
22	cial assistance to address other needs under sub-
23	section (e)" after "disaster";
24	(2) by redesignating paragraph (2) as para-
25	graph (3);

1	(3) by inserting after paragraph (1) the fol-
2	lowing:
3	"(2) Other needs assistance.—The max-
4	imum financial assistance any individual or house-
5	hold may receive under subsection (e) shall be equiv-
6	alent to the amount set forth in paragraph (1) with
7	respect to a single major disaster.";
8	(4) in paragraph (3) (as so redesignated), by
9	striking "paragraph (1)" and inserting "paragraphs
10	(1) and (2)"; and
11	(5) by inserting after paragraph (3) (as so re-
12	designated) the following:
13	"(4) Exclusion of necessary expenses for
14	INDIVIDUALS WITH DISABILITIES.—
15	"(A) The maximum amount of assistance
16	established under paragraph (1) shall exclude
17	expenses to repair or replace damaged accessi-
18	bility-related improvements under paragraphs
19	(2), (3), and (4) of subsection (c) for individ-
20	uals with disabilities.
21	"(B) The maximum amount of assistance
22	established under paragraph (2) shall exclude
23	expenses to repair or replace accessibility-re-
24	lated personal property under subsection (e)(2)
25	for individuals with disabilities.".

1	SEC. 2012. MULTIFAMILY LEASE AND REPAIR ASSISTANCE.
2	(a) Lease and Repair of Rental Units for
3	Temporary Housing.—Section 408(c)(1)(B)(ii)(II) of
4	the Robert T. Stafford Disaster Relief and Emergency As-
5	sistance Act (42 U.S.C. $5174(c)(1)(B)(ii)(II)$ ) is amended
6	to read as follows:
7	"(II) Improvements or re-
8	PAIRS.—Under the terms of any lease
9	agreement for property entered into
10	under this subsection, the value of the
11	improvements or repairs shall be de-
12	ducted from the value of the lease
13	agreement.".
14	(b) Rental Properties Impacted.—Section
15	408(c)(1)(B)(ii)(I)(aa) of the Robert T. Stafford Disaster
16	Relief and Emergency Assistance Act (42 U.S.C.
17	5174(c)(1)(B)(ii)(I)(aa)) is amended to read as follows:
18	"(aa) enter into lease agree-
19	ments with owners of multifamily
20	rental property impacted by a
21	major disaster or located in areas
22	covered by a major disaster dec-
23	laration to house individuals and
24	households eligible for assistance
25	under this section, and"

1	(c) Inspector General Report.—Not later than
2	2 years after the date of the enactment of this Act, the
3	inspector general of the Department of Homeland Security
4	shall assess the use of the authority provided under section
5	408(c)(1)(B) of the Robert T. Stafford Disaster Relief
6	and Emergency Assistance Act (42 U.S.C.
7	5174(c)(1)(B)), including the adequacy of any benefit-cost
8	analysis done to justify the use of this alternative, and
9	submit a report on the results of that review to the appro-
10	priate committees of Congress.
11	SEC. 2013. FEDERAL DISASTER ASSISTANCE NONPROFIT
12	FAIRNESS.
13	(a) Definition of Private Nonprofit Facil-
14	ITY.—Section 102(11)(B) of the Robert T. Stafford Dis-
15	aster Relief and Emergency Assistance Act (42 U.S.C.
16	5122(11)(B)) is amended to read as follows:
17	"(B) Additional facilities.—In addi-
18	tion to the facilities described in subparagraph
19	(A), the term 'private nonprofit facility' in-
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	cludes any private nonprofit facility that pro-
21	cludes any private nonprofit facility that pro- vides essential services of a governmental na-
	v î
21	vides essential services of a governmental na-
21 22	vides essential services of a governmental nature to the general public (including museums,

1 the Internal Revenue Code of 1986, libraries, 2 homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, food 3 4 banks, broadcasting facilities, and facilities that 5 provide health and safety services of a govern-6 mental nature), as defined by the President.". 7 (b) REPAIR, RESTORATION, AND REPLACEMENT OF 8 Damaged Facilities.—Section 406(a)(3) of the Robert 9 T. Stafford Disaster Relief and Emergency Assistance Act 10 (42 U.S.C. 5172(a)(3)) is amended by adding at the end 11 the following: 12 "(C) Houses of Worship.— 13 "(i) In General.—A church, syna-14 gogue, mosque, temple, or other house of 15 worship, and a private nonprofit facility 16 operated by a religious organization, shall 17 be eligible for contributions under para-18 graph (1)(B)(subject to paragraph 19 (3)(A)), without regard to the religious 20 character of the facility or the primary re-21 ligious use of the facility. 22 "(ii) Limitations.—Notwithstanding 23 clause (i), in spaces dedicated to or pri-24 marily used for religious purposes, con-25 tributions under paragraph (1)(B) shall

1	only be used to cover costs of purchasing
2	or replacing, without limitation, the build-
3	ing structure, building enclosure compo-
4	nents, building envelope, vertical and hori-
5	zontal circulation, physical plant support
6	spaces, electrical, plumbing, and mechan-
7	ical systems (including heating, ventilation,
8	air-conditioning, and fire and life safety
9	systems), and related site improvements.".
10	(c) Applicability.—This section and the amend-
11	ments made by this section shall apply to the provision
12	of assistance in response to a major disaster or emergency
13	declared on or after October 28, 2012.
14	SEC. 2014. MANAGEMENT COSTS.
15	Section 324 of the Robert T. Stafford Disaster Relief
16	and Emergency Assistance Act (42 U.S.C. 5165b) is
17	amended—
18	(1) in subsection (a) by striking "any adminis-
19	trative expense, and any other expense not directly
20	chargeable to" and inserting "direct administrative
21	cost, and any other administrative expense associ-
22	ated with"; and
23	(2) in subsection (b)—
24	(A) by striking "Notwithstanding" and in-
25	serting the following:

1	"(1) In general.—Notwithstanding";
2	(B) by striking "establish" and inserting
3	the following: "implement"; and
4	(C) by adding at the end the following:
5	"(2) Specific management costs.—The Ad-
6	ministrator shall provide the following percentage
7	rates, in addition to the eligible project costs, to
8	cover direct and indirect costs of administering the
9	following programs:
10	"(A) HAZARD MITIGATION.—A grantee
11	under section 404 may be reimbursed not more
12	than 15 percent of the total amount of the
13	grant award under such section of which not
14	more than 10 percent may be used by the
15	grantee and 5 percent by the subgrantee for
16	such costs.
17	"(B) Public Assistance.—A grantee
18	under sections 403, 406, 407, and 502 may be
19	reimbursed not more than 12 percent of the
20	total award amount under such sections, of
21	which not more than 7 percent may be used by
22	the grantee and 5 percent by the subgrantee for
23	such costs.".

## 1 SEC. 2015. FLEXIBILITY.

2	(a) Definition.—In this section, the term "covered
3	assistance' means assistance provided—
4	(1) under section 408 of the Robert T. Stafford
5	Disaster Relief and Emergency Assistance Act (42
6	U.S.C. 5174); and
7	(2) in relation to a major disaster or emergency
8	declared by the President under section 401 or 501
9	of the Robert T. Stafford Disaster Relief and Emer-
10	gency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
11	5191) on or after October 28, 2012.
12	(b) Waiver Authority.—Notwithstanding section
13	3716(e) of title 31, United States Code, the Administrator
14	of the Federal Emergency Management Agency—
15	(1) subject to paragraph (2), may waive a debt
16	owed to the United States related to covered assist-
17	ance provided to an individual or household if—
18	(A) the covered assistance was distributed
19	based on an error by the Federal Emergency
20	Management Agency;
21	(B) there was no fault on behalf of the
22	debtor; and
23	(C) the collection of the debt would be
24	against equity and good conscience; and
25	(2) may not waive a debt under paragraph (1)
26	if the debt involves fraud, the presentation of a false

1	claim, or misrepresentation by the debtor or any
2	party having an interest in the claim.
3	(c) Monitoring of Covered Assistance Distrib-
4	UTED BASED ON ERROR.—
5	(1) In general.—The inspector general of the
6	Department of Homeland Security shall monitor the
7	distribution of covered assistance to individuals and
8	households to determine the percentage of such as-
9	sistance distributed based on an error.
10	(2) Removal of Waiver Authority based
11	ON EXCESSIVE ERROR RATE.—If the inspector gen-
12	eral determines, with respect to any 12-month pe-
13	riod, that the amount of covered assistance distrib-
14	uted based on an error by the Federal Emergency
15	Management Agency exceeds 4 percent of the total
16	amount of covered assistance distributed—
17	(A) the inspector general shall notify the
18	Administrator and publish the determination in
19	the Federal Register; and
20	(B) with respect to any major disaster or
21	emergency declared by the President under sec-
22	tion 401 or section 501, respectively, of the
23	Robert T. Stafford Disaster Relief and Emer-
24	gency Assistance Act (42 U.S.C. 5170; 42
25	U.S.C. 5191) after the date on which the deter-

- 1 mination is published under subparagraph (A),
- 2 the authority of the Administrator to waive
- debt under subsection (b) shall no longer be ef-
- 4 fective.

#### 5 SEC. 2016. ADDITIONAL DISASTER ASSISTANCE.

- 6 (a) DISASTER MITIGATION.—Section 209 of the Pub-
- 7 lie Works and Economic Development Act of 1965 (42)
- 8 U.S.C. 3149) is amended by adding at the end the fol-
- 9 lowing:
- 10 "(e) Disaster Mitigation.—In providing assist-
- 11 ance pursuant to subsection (c)(2), if appropriate and as
- 12 applicable, the Secretary may encourage hazard mitigation
- 13 in assistance provided pursuant to such subsection.".
- 14 (b) Emergency Management Assistance Com-
- 15 PACT GRANTS.—Section 661(d) of the Post-Katrina
- 16 Emergency Management Reform Act of 2006 (6 U.S.C.
- 17 761(d)) is amended by striking "for fiscal year 2008" and
- 18 inserting "for each of fiscal years 2018 through 2022".
- 19 (c) Emergency Management Performance
- 20 Grants Program.—Section 662(f) of the Post-Katrina
- 21 Emergency Management Reform Act of 2006 (6 U.S.C.
- 22 762(f)) is amended by striking "the program" and all that
- 23 follows through "2012" and inserting "the program, for
- 24 each of fiscal years 2018 through 2022".

1	(d) Technical Amendment.—Section 403(a)(3) of
2	the Robert T. Stafford Disaster Relief and Emergency As-
3	sistance Act (42 U.S.C. 5170b(a)(3)) is amended by strik-
4	ing the second subparagraph (J).
5	SEC. 2017. NATIONAL VETERINARY EMERGENCY TEAMS.
6	(a) In General.—The Administrator of the Federal
7	Emergency Management Agency may establish one or
8	more national veterinary emergency teams at accredited
9	colleges of veterinary medicine.
10	(b) Responsibilities.—A national veterinary emer-
11	gency team shall—
12	(1) deploy with a team of the National Urban
13	Search and Rescue Response System to assist
14	with—
15	(A) veterinary care of canine search teams;
16	(B) locating and treating companion ani-
17	mals, service animals, livestock, and other ani-
18	mals; and
19	(C) surveillance and treatment of zoonotic
20	diseases;
21	(2) recruit, train, and certify veterinary profes-
22	sionals, including veterinary students, in accordance
23	with an established set of plans and standard oper-
24	ating guidelines to carry out the duties associated

- with planning for and responding to emergencies as described in paragraph (1);
- 3 (3) assist State, Tribal, and local governments
  4 and nonprofit organizations in developing emergency
  5 management and evacuation plans that account for
  6 the care and rescue of animals and in improving
  7 local readiness for providing veterinary medical re8 sponse during a disaster; and
- 9 (4) coordinate with the Department of Home-10 land Security, the Department of Health and 11 Human Services, the Department of Agriculture, 12 State, Tribal, and local governments (including de-13 partments of animal and human health), veterinary 14 and health care professionals, and volunteers.

## 15 SEC. 2018. DISPUTE RESOLUTION PILOT PROGRAM.

- 16 Section 1105(c) of the Sandy Recovery Improvement
- 17 Act of 2013 (42 U.S.C. 5189a note) is amended by strik-
- 18 ing "2015" and inserting "2022".

#### 19 SEC. 2019. EMERGENCY RELIEF.

- Notwithstanding any other provision of law, for each
- 21 of fiscal years 2018 and 2019, obligations for projects un-
- 22 dertaken to respond to damages caused by Hurricanes
- 23 Irma and Maria shall be excluded from any calculation
- 24 of total obligations for purposes of section 125(d)(4) of
- 25 title 23, United States Code.

1	SEC. 2020. UNIFIED FEDERAL ENVIRONMENTAL AND HIS-
2	TORIC PRESERVATION REVIEW.
3	(a) Review and Analysis.—Not later than 180
4	days after the date of enactment of this Act, the Adminis-
5	trator of the Federal Emergency Management Agency
6	shall review the Unified Federal Environmental and His-
7	toric Preservation review process established pursuant to
8	section 429 of the Robert T. Stafford Disaster Relief and
9	Emergency Assistance Act (42 U.S.C. 5189g), and submit
10	a report to the Committee on Transportation and Infra-
11	structure of the House of Representatives and the Com-
12	mittee on Homeland Security and Governmental Affairs
13	of the Senate that includes the following:
14	(1) An analysis of whether and how the unified
15	process has expedited the interagency review process
16	to ensure compliance with the environmental and
17	historic requirements under Federal law relating to
18	disaster recovery projects.
19	(2) A survey and analysis of categorical exclu-
20	sions used by other Federal agencies that may be
21	applicable to any activity related to a Presidentially
22	declared major disaster or emergency under such
23	Act.
24	(3) Recommendations on any further actions,
25	including any legislative proposals, needed to expe-
26	dite and streamline the review process.

1	(b) Regulations.—After completing the review,
2	survey, and analyses under subsection (a), but not later
3	than 2 years after the date of enactment of this Act, and
4	after providing notice and opportunity for public comment,
5	the Administrator shall issue regulations to implement any
6	regulatory recommendations, including any categorical ex-
7	clusions identified under subsection (a), to the extent that
8	the categorical exclusions meet the criteria for a categor-
9	ical exclusion under section 1508.4 of title 40, Code of
10	Federal Regulations, and section II of DHS Instruction
11	Manual 023–01–001–01.
12	SEC. 2021. CLOSEOUT INCENTIVES.
13	(a) Facilitating Closeout.—Section 705 of the
14	Robert T. Stafford Disaster Relief and Emergency Assist-
15	ance Act (42 U.S.C. 5205) is amended by adding at the
16	end the following:
17	"(d) Facilitating Closeout.—
18	"(1) Incentives.—The Administrator may de-
19	velop incentives and penalties that encourage State,
20	Tribal, or local governments to close out expendi-
21	tures and activities on a timely basis related to dis-
22	aster or emergency assistance.
23	"(2) AGENCY REQUIREMENTS.—The Agency

- 1 prove closeout practices and reduce the time to close
- 2 disaster program awards.".
- 3 (b) Regulations.—The Administrator shall issue
- 4 regulations to implement this section.
- 5 SEC. 2022. PERFORMANCE OF SERVICES.
- 6 Section 306 of the Robert T. Stafford Disaster Relief
- 7 and Emergency Assistance Act (42 U.S.C. 5149) is
- 8 amended by adding at the end the following:
- 9 "(c) The Administrator of the Federal Emergency
- 10 Management Agency is authorized to appoint temporary
- 11 personnel, after serving continuously for 3 years, to posi-
- 12 tions in the Agency in the same manner that competitive
- 13 service employees with competitive status are considered
- 14 for transfer, reassignment, or promotion to such positions.
- 15 An individual appointed under this subsection shall be-
- 16 come a career-conditional employee, unless the employee
- 17 has already completed the service requirements for career
- 18 tenure.".
- 19 SEC. 2023. STUDY TO STREAMLINE AND CONSOLIDATE IN-
- 20 FORMATION COLLECTION.
- Not later than 1 year after the date of enactment
- 22 of this Act, the Administrator of the Federal Emergency
- 23 Management Agency shall—
- 24 (1) in coordination with the Small Business Ad-
- 25 ministration, the Department of Housing and Urban

- Development, and other appropriate agencies, conduct a study and develop a plan, consistent with law,
  under which the collection of information from disaster assistance applicants and grantees will be
  modified, streamlined, expedited, efficient, flexible,
  consolidated, and simplified to be less burdensome,
  duplicative, and time consuming for applicants and
  grantees;
- 9 (2) in coordination with the Small Business Ad-10 ministration, the Department of Housing and Urban 11 Development, and other appropriate agencies, de-12 velop a plan for the regular collection and reporting 13 of information on Federal disaster assistance award-14 ed, including the establishment and maintenance of 15 a website for presenting the information to the pub-16 lic; and
  - (3) submit the plans to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

#### 21 SEC. 2024. AGENCY ACCOUNTABILITY.

- Title IV of the Robert T. Stafford Disaster Relief and
- 23 Emergency Assistance Act is amended by adding at the
- 24 end the following:

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# 1 "SEC. 430. AGENCY ACCOUNTABILITY.

2	"(a) Public Assistance.—Not later than 5 days
3	after an award of a public assistance grant is made under
4	section 406 that is in excess of \$1,000,000, the Adminis-
5	trator shall publish on the Agency's website the specifics
6	of each such grant award, including—
7	"(1) identifying the Federal Emergency Man-
8	agement Agency Region;
9	"(2) the disaster or emergency declaration
10	number;
11	"(3) the State, county, and applicant name;
12	"(4) if the applicant is a private nonprofit orga-
13	nization;
14	"(5) the damage category code;
15	"(6) the amount of the Federal share obligated;
16	and
17	"(7) the date of the award.
18	"(b) Mission Assignments.—
19	"(1) IN GENERAL.—Not later than 5 days after
20	the issuance of a mission assignment or mission as-
21	signment task order, the Administrator shall publish
22	on the Agency's website any mission assignment or
23	mission assignment task order to another Federal
24	department or agency regarding a major disaster in
25	excess of \$1,000,000, including—

1	"(A) the name of the impacted State or
2	Tribe;
3	"(B) the disaster declaration for such
4	State or Tribe;
5	"(C) the assigned agency;
6	"(D) the assistance requested;
7	"(E) a description of the disaster;
8	"(F) the total cost estimate;
9	"(G) the amount obligated;
10	"(H) the State or Tribal cost share, if ap-
11	plicable;
12	"(I) the authority under which the mission
13	assignment or mission assignment task order
14	was directed; and
15	"(J) if applicable, the date a State or
16	Tribe requested the mission assignment.
17	"(2) Recording Changes.—Not later than 10
18	days after the last day of each month until a mission
19	assignment or mission assignment task order de-
20	scribed in paragraph (1) is completed and closed
21	out, the Administrator shall update any changes to
22	the total cost estimate and the amount obligated.
23	"(c) Disaster Relief Monthly Report.—Not
24	later than 10 days after the first day of each month, the
25	Administrator shall publish on the Agency's website re-

1	ports, including a specific description of the methodology
2	and the source data used in developing such reports, in-
3	cluding—
4	"(1) an estimate of the amounts for the fiscal
5	year covered by the President's most recent budget
6	pursuant to section 1105(a) of title 31, United
7	States Code, including—
8	"(A) the unobligated balance of funds to
9	be carried over from the prior fiscal year to the
10	budget year;
11	"(B) the unobligated balance of funds to
12	be carried over from the budget year to the
13	budget year plus 1;
14	"(C) the amount of obligations for non-
15	catastrophic events for the budget year;
16	"(D) the amount of obligations for the
17	budget year for catastrophic events delineated
18	by event and by State;
19	"(E) the total amount that has been pre-
20	viously obligated or will be required for cata-
21	strophic events delineated by event and by State
22	for all prior years, the current fiscal year, the
23	budget year and each fiscal year thereafter

1	"(F) the amount of previously obligated
2	funds that will be recovered for the budget
3	year;
4	"(G) the amount that will be required for
5	obligations for emergencies, as described in sec-
6	tion 102(1), major disasters, as described in
7	section 102(2), fire management assistance
8	grants, as described in section 420, surge ac-
9	tivities, and disaster readiness and support ac-
10	tivities; and
11	"(H) the amount required for activities not
12	covered under section 251(b)(2)(D)(iii) of the
13	Balanced Budget and Emergency Deficit Con-
14	trol Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii));
15	and
16	"(2) an estimate or actual amounts, if available,
17	of the following for the current fiscal year shall be
18	submitted not later than the fifth day of each
19	month, published by the Administrator on the Agen-
20	cy's website not later than the fifth day of each
21	month:
22	"(A) A summary of the amount of appro-
23	priations made available by source, the trans-
24	fers executed, the previously allocated funds re-

1	covered, and the commitments, allocations, and
2	obligations made.
3	"(B) A table of disaster relief activity de-
4	lineated by month, including—
5	"(i) the beginning and ending bal-
6	ances;
7	"(ii) the total obligations to include
8	amounts obligated for fire assistance,
9	emergencies, surge, and disaster support
10	activities;
11	"(iii) the obligations for catastrophic
12	events delineated by event and by State;
13	and
14	"(iv) the amount of previously obli-
15	gated funds that are recovered.
16	"(C) A summary of allocations, obligations,
17	and expenditures for catastrophic events delin-
18	eated by event.
19	"(D) The cost of the following categories
20	of spending:
21	"(i) Public assistance.
22	"(ii) Individual assistance.
23	"(iii) Mitigation.
24	"(iv) Administrative.
25	"(v) Operations.

1	"(vi) Any other relevant category (in-
2	cluding emergency measures and disaster
3	resources) delineated by disaster.
4	"(E) The date on which funds appro-
5	priated will be exhausted.
6	"(d) Contracts.—
7	"(1) Information.—Not later than 10 days
8	after the first day of each month, the Administrator
9	shall publish on the Agency's website the specifics of
10	each contract in excess of \$1,000,000 that the Agen-
11	cy enters into, including—
12	"(A) the name of the party;
13	"(B) the date the contract was awarded;
14	"(C) the amount and scope of the contract;
15	"(D) if the contract was awarded through
16	competitive bidding process;
17	"(E) if no competitive bidding process was
18	used, the reason why competitive bidding was
19	not used; and
20	"(F) the authority used to bypass the com-
21	petitive bidding process.
22	The information shall be delineated by disaster, if
23	applicable, and specify the damage category code, if
24	applicable.

1	"(2) Report.—Not later than 10 days after
2	the last day of the fiscal year, the Administrator
3	shall provide a report to the appropriate committees
4	of Congress summarizing the following information
5	for the preceding fiscal year:
6	"(A) The number of contracts awarded
7	without competitive bidding.
8	"(B) The reasons why a competitive bid-
9	ding process was not used.
10	"(C) The total amount of contracts award-
11	ed with no competitive bidding.
12	"(D) The damage category codes, if appli-
13	cable, for contracts awarded without competi-
14	tive bidding.".
15	SEC. 2025. AUDIT OF CONTRACTS.
16	Notwithstanding any other provision of law, the Ad-
17	ministrator of the Federal Emergency Management Agen-
18	cy shall not reimburse a State, Tribe, or local government
19	or the owner or operator of a private nonprofit facility for
20	any activities made pursuant to a contract entered into
21	after August 1, 2017, that prohibits the Administrator or
22	the Comptroller General of the United States from audit-
23	ing or otherwise reviewing all aspects relating to the con-
24	tract.

1	SEC. 2026. INSPECTOR GENERAL AUDIT OF FEMA CON-
2	TRACTS FOR TARPS AND PLASTIC SHEETING.
3	(a) In General.—Not later than 30 days after the
4	date of enactment of this Act, the inspector general of the
5	Department of Homeland Security shall initiate an audit
6	of the contracts awarded by the Federal Emergency Man-
7	agement Agency (in this section referred to as "FEMA")
8	for tarps and plastic sheeting for the Commonwealth of
9	Puerto Rico and the United States Virgin Islands in re-
10	sponse to Hurricane Irma and Hurricane Maria.
11	(b) Considerations.—In carrying out the audit
12	under subsection (a), the inspector general shall review—
13	(1) the contracting process used by FEMA to
14	evaluate offerors and award the relevant contracts to
15	contractors;
16	(2) FEMA's assessment of the past perform-
17	ance of the contractors, including any historical in-
18	formation showing that the contractors had sup-
19	ported large-scale delivery quantities in the past;
20	(3) FEMA's assessment of the capacity of the
21	contractors to carry out the relevant contracts, in-
22	cluding with respect to inventory, production, and fi-
23	nancial capabilities;
24	(4) how FEMA ensured that the contractors
25	met the terms of the relevant contracts; and

1	(5) whether the failure of the contractors to
2	meet the terms of the relevant contracts and
3	FEMA's subsequent cancellation of the relevant con-
4	tracts affected the provision of tarps and plastic
5	sheeting to the Commonwealth of Puerto Rico and
6	the United States Virgin Islands.
7	(c) Report.—Not later than 270 days after the date
8	of initiation of the audit under subsection (a), the inspec-
9	tor general shall submit to the Committee on Transpor-
10	tation and Infrastructure of the House of Representatives
11	and the Committee on Homeland Security and Govern-
12	mental Affairs of the Senate a report on the results of
13	the audit, including findings and recommendations.
14	SEC. 2027. RELIEF ORGANIZATIONS.
15	Section 309 of the Robert T. Stafford Disaster Relief
16	and Emergency Assistance Act (42 U.S.C. 5152) is
17	amended—
18	(1) in subsection (a), by striking "and other re-
19	lief or" and inserting "long-term recovery groups
20	domestic hunger relief, and other relief, or"; and
21	(2) in subsection (b), by striking "and other re-
22	lief or" and inserting "long-term recovery groups
23	domestic hunger relief, and other relief, or".

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1	SEC	2028	CHIDANCE	$\mathbf{ON}$	INTINDATED	SURMERGED

- 2 ROADS.
- 3 The Administrator of the Federal Emergency Man-
- 4 agement Agency, in coordination with the Administrator
- 5 of the Federal Highway Administration, shall develop and
- 6 issue guidance for State, local, and Tribal governments
- 7 regarding repair, restoration, and replacement of inun-
- 8 dated and submerged roads damaged or destroyed by a
- 9 major disaster, and for associated expenses incurred by
- 10 the Government, with respect to roads eligible for assist-
- 11 ance under section 406 of the Robert T. Stafford Disaster
- 12 Relief and Emergency Assistance Act (42 U.S.C. 5172).
- 13 SEC. 2029. AUTHORITIES.
- Notwithstanding any other provision of law, the non-
- 15 federally funded actions of private parties and State, local,
- 16 or Tribal governments, on State, local, Tribal, and private
- 17 land, and the effects of those actions, shall not be attrib-
- 18 uted to the Federal Emergency Management Agency's ac-
- 19 tions under the National Flood Insurance Act of 1968 (42
- 20 U.S.C. 4001 et seq.), the Flood Disaster Protection Act
- 21 of 1973 (42 U.S.C. 4002 et seq.), the Biggert-Waters
- 22 Flood Insurance Reform Act of 2012 (subtitle A of title
- 23 II of division F of Public Law 112–141; 126 Stat. 916),
- 24 and the Homeowner Flood Insurance Affordability Act of
- 25 2014 (Public Law 113–89; 128 Stat. 1020) for the pur-
- 26 poses of section 7 (16 U.S.C. 1536) and section 9 (16

- 1 U.S.C. 1538) of the Endangered Species Act. Actions
- 2 taken under the National Flood Insurance Act of 1968,
- 3 the Flood Disaster Protection Act of 1973, the Biggert-
- 4 Waters Flood Insurance Reform Act of 2012, and the
- 5 Homeowner Flood Insurance Affordability Act of 2014,
- 6 that may influence private actions do not create a Federal
- 7 nexus for the purpose of applying the requirements of sec-
- 8 tion 7 of the Endangered Species Act of 1973 (16 U.S.C.
- 9 1536).
- 10 SEC. 2030. RECOUPMENT OF CERTAIN ASSISTANCE PRO-
- 11 HIBITED.
- 12 (a) IN GENERAL.—Notwithstanding section 3716(e)
- 13 of title 31, United States Code, and unless there is evi-
- 14 dence of civil or criminal fraud, the Federal Emergency
- 15 Management Agency may not take any action to recoup
- 16 covered assistance from the recipient of such assistance
- 17 if the receipt of such assistance occurred on a date that
- 18 is more than 3 years before the date on which the Federal
- 19 Emergency Management Agency first provides to the re-
- 20 cipient written notification of an intent to recoup.
- 21 (b) COVERED ASSISTANCE DEFINED.—In this sec-
- 22 tion, the term "covered assistance" means assistance pro-
- 23 vided—

1	(1) under section 408 of the Robert T. Stafford
2	Disaster Relief and Emergency Assistance Act (42
3	U.S.C. 5174); and
4	(2) in relation to a major disaster or emergency
5	declared by the President under section 401 or 501
6	of such Act (42 U.S.C. 5170; 42 U.S.C. 5191) on
7	or after January 1, 2012.
8	SEC. 2031. STATUTE OF LIMITATIONS.
9	(a) In General.—Section 705 of the Robert T.
10	Stafford Disaster Relief and Emergency Assistance Act
11	(42 U.S.C. 5205) is amended—
12	(1) in subsection $(a)(1)$ —
13	(A) by striking "Except" and inserting
14	"Notwithstanding section 3716(e) of title 31,
15	United States Code, and except"; and
16	(B) by striking "report for the disaster or
17	emergency" and inserting "report for project
18	completion as certified by the grantee"; and
19	(2) in subsection (b)—
20	(A) in paragraph (1) by striking "report
21	for the disaster or emergency" and inserting
22	"report for project completion as certified by
23	the grantee"; and

1	(B) in paragraph (3) by inserting "for
2	project completion as certified by the grantee"
3	after "final expenditure report".
4	(b) Applicability.—
5	(1) In general.—With respect to disaster or
6	emergency assistance provided to a State or local
7	government on or after January 1, 2004—
8	(A) no administrative action may be taken
9	to recover a payment of such assistance after
10	the date of enactment of this Act if the action
11	is prohibited under section 705(a)(1) of the
12	Robert T. Stafford Disaster Relief and Emer-
13	gency Assistance Act (42 U.S.C. 5205(a)(1))
14	as amended by subsection (a); and
15	(B) any administrative action to recover a
16	payment of such assistance that is pending or
17	such date of enactment shall be terminated in
18	the action is prohibited under section 705(a)(1)
19	of that Act, as amended by subsection (a).
20	(2) Limitation.—This section, including the
21	amendments made by this section, may not be con-
22	strued to invalidate or otherwise affect any adminis-
23	tration action completed before the date of enact-
24	ment of this Act.

1	SEC. 2032. TECHNICAL ASSISTANCE AND RECOMMENDA-
2	TIONS.
3	(a) Technical Assistance.—The Administrator of
4	the Federal Emergency Management Agency shall provide
5	technical assistance to a common interest community that
6	provides essential services of a governmental nature on ac-
7	tions that a common interest community may take in
8	order to be eligible to receive reimbursement from a grant-
9	ee that receives funds from the Agency for certain activi-
10	ties performed after an event that results in a disaster
11	declaration.
12	(b) Recommendations.—Not later than 90 days
13	after the date of enactment of this Act, the Administrator
14	shall provide to the Committee on Transportation and In-
15	frastructure of the House of Representatives and the Com-
16	mittee on Homeland Security and Governmental Affairs
17	of the Senate a legislative proposal on how to provide eligi-
18	bility for disaster assistance with respect to common areas
19	of condominiums and housing cooperatives.
20	SEC. 2033. GUIDANCE ON HAZARD MITIGATION ASSIST-
21	ANCE.
22	(a) In General.—Not later than 180 days after the
23	date of enactment of this Act, the Administrator of the
24	Federal Emergency Management Agency shall issue guid-
25	ance regarding the acquisition of property for open space
26	as a mitigation measure under section 404 of the Robert

1	T. Stafford Disaster Relief and Emergency Assistance Act
2	(42 U.S.C. 5170c) that includes—
3	(1) a process by which the State hazard mitiga-
4	tion officer appointed for such an acquisition shall,
5	not later than 60 days after the applicant for assist-
6	ance enters into an agreement with the Adminis-
7	trator regarding the acquisition, provide written no-
8	tification to each affected unit of local government
9	for such acquisition that includes—
10	(A) the location of the acquisition;
11	(B) the State-local assistance agreement
12	for the hazard mitigation grant program;
13	(C) a description of the acquisition; and
14	(D) a copy of the deed restriction; and
15	(2) recommendations for entering into and im-
16	plementing a memorandum of understanding be-
17	tween units of local government and covered entities
18	that includes provisions to allow an affected unit of
19	local government notified under paragraph (1) to—
20	(A) use and maintain the open space cre-
21	ated by such a project, consistent with section
22	404 (including related regulations, standards,
23	and guidance) and consistent with all adjoining
24	property, subject to the notification of the ad-
25	joining property, so long as the cost of the

1	maintenance is borne by the local government;
2	and
3	(B) maintain the open space pursuant to
4	standards exceeding any local government
5	standards defined in the agreement with the
6	Administrator described under paragraph (1).
7	(b) Definitions.—In this section the following defi-
8	nitions apply:
9	(1) AFFECTED UNIT OF LOCAL GOVERN-
10	MENT.—The term "affected unit of local govern-
11	ment" means any entity covered by the definition of
12	local government in section 102 of the Robert T.
13	Stafford Disaster Relief and Emergency Assistance
14	Act (42 U.S.C. 5122), that has jurisdiction over the
15	property subject to the acquisition described in sub-
16	section (a).
17	(2) COVERED ENTITY.—The term "covered en-
18	tity' means—
19	(A) the grantee or subgrantee receiving as-
20	sistance for an open space project described in
21	subsection (a);
22	(B) the State in which such project is lo-
23	cated; and
24	(C) the applicable Regional Administrator
25	of the Federal Emergency Management Agency.

#### SEC. 2034. LOCAL IMPACT.

- 2 In making recommendations to the President regard-
- 3 ing a major disaster declaration, the Administrator of the
- 4 Federal Emergency Management Agency shall give great-
- 5 er weight and consideration to severe local impact or re-
- 6 cent multiple disasters. Further, the Administrator shall
- 7 make corresponding adjustments to the Agency's policies
- 8 and regulations regarding such consideration. Not later
- 9 than 1 year after the date of enactment of this section,
- 10 the Administrator shall report to the Committee on Trans-
- 11 portation and Infrastructure of the House of Representa-
- 12 tives and the Committee on Homeland Security and Gov-
- 13 ernmental Affairs of the Senate on the changes made to
- 14 regulations and policies and the number of declarations
- 15 that have been declared based on the new criteria.

### 16 SEC. 2035. ADDITIONAL HAZARD MITIGATION ACTIVITIES.

- 17 Section 404 of the Robert T. Stafford Disaster Relief
- 18 and Emergency Assistance Act (42 U.S.C. 5170c) is fur-
- 19 ther amended by adding at the end the following:
- 20 "(g) Use of Assistance.—Recipients of hazard
- 21 mitigation assistance provided under this section and sec-
- 22 tion 203 may use the assistance to conduct activities to
- 23 help reduce the risk of future damage, hardship, loss, or
- 24 suffering in any area affected by earthquake hazards, in-
- 25 cluding—

1	"(1) improvements to regional seismic networks
2	in support of building a capability for earthquake
3	early warning;
4	"(2) improvements to geodetic networks in sup-
5	port of building a capability for earthquake early
6	warning; and
7	"(3) improvements to seismometers, Global Po-
8	sitioning System receivers, and associated infrastruc-
9	ture in support of building a capability for earth-
10	quake early warning.".
11	SEC. 2036. NATIONAL PUBLIC INFRASTRUCTURE
12	PREDISASTER HAZARD MITIGATION.
13	(a) Predisaster Hazard Mitigation.—Section
14	203 of the Robert T. Stafford Disaster Relief and Emer-
15	gency Assistance Act (42 U.S.C. 5133) is amended—
16	(1) in subsection (c) by inserting "Public Infra-
17	structure" after "the National";
18	(2) in subsection (e)(1)(B)—
19	(A) by striking "or" at the end of clause
20	
	(ii);
21	(ii); (B) by striking the period at the end of
21 22	
	(B) by striking the period at the end of
22	(B) by striking the period at the end of clause (iii) and inserting "; or"; and

1	published editions of relevant consensus-
2	based codes, specifications, and standards
3	that incorporate the latest hazard-resistant
4	designs and establish minimum acceptable
5	criteria for the design, construction, and
6	maintenance of residential structures and
7	facilities that may be eligible for assistance
8	under this Act for the purpose of pro-
9	tecting the health, safety, and general wel-
10	fare of the buildings' users against disas-
11	ters.";
12	(3) in subsection (f)—
13	(A) in paragraph (1) by inserting "for
14	mitigation activities that are cost effective"
15	after "competitive basis"; and
16	(B) by adding at the end the following:
17	"(3) Redistribution of unobligated
18	AMOUNTS.—The President may—
19	"(A) withdraw amounts of financial assist-
20	ance made available to a State (including
21	amounts made available to local governments of
22	a State) under this subsection that remain un-
23	obligated by the end of the third fiscal year
24	after the fiscal year for which the amounts were
25	allocated; and

1	"(B) in the fiscal year following a fiscal
2	year in which amounts were withdrawn under
3	subparagraph (A), add the amounts to any
4	other amounts available to be awarded on a
5	competitive basis pursuant to paragraph (1).";
6	(4) in subsection (g)—
7	(A) in paragraph (9) by striking "and" at
8	the end;
9	(B) by redesignating paragraph (10) as
10	paragraph (12); and
11	(C) by adding after paragraph (9) the fol-
12	lowing:
13	"(10) the extent to which the State or local
14	government has facilitated the adoption and enforce-
15	ment of the latest published editions of relevant con-
16	sensus-based codes, specifications, and standards
17	that incorporate the latest hazard-resistant designs
18	and establish criteria for the design, construction,
19	and maintenance of residential structures and facili-
20	ties that may be eligible for assistance under this
21	Act for the purpose of protecting the health, safety,
22	and general welfare of the buildings' users against
23	disasters:

1	"(11) the extent to which the assistance will
2	fund activities that increase the level of resiliency;
3	and";
4	(5) by striking subsection (i) and inserting the
5	following:
6	"(i) National Public Infrastructure
7	PREDISASTER MITIGATION ASSISTANCE.—
8	"(1) In General.—The President may set
9	aside from the Disaster Relief Fund, with respect to
10	each major disaster, an amount equal to 6 percent
11	of the estimated aggregate amount of the grants to
12	be made pursuant to sections 403, 406, 407, 408,
13	410, and 416 for the major disaster in order to pro-
14	vide technical and financial assistance under this
15	section.
16	"(2) Estimated aggregate amount.—Not
17	later than 180 days after each major disaster dec-
18	laration pursuant to this Act, the estimated aggre-
19	gate amount of grants for purposes of paragraph (1)
20	shall be determined by the President and such esti-
21	mated amount need not be reduced, increased, or
22	changed due to variations in estimates.
23	"(3) No reduction in amounts.—The
24	amount set aside pursuant to paragraph (1) shall
25	not reduce the amounts otherwise made available for

- 1 sections 403, 404, 406, 407, 408, 410, and 416
- 2 under this Act."; and
- 3 (6) by striking subsections (j) and (m) and re-
- 4 designating subsections (k), (l), and (n) as sub-
- 5 sections (j), (k), and (l), respectively.
- 6 (b) APPLICABILITY.—The amendments made to sec-
- 7 tion 203 of the Robert T. Stafford Disaster Relief and
- 8 Emergency Assistance Act (42 U.S.C. 5133) by para-
- 9 graphs (3) and (5) of subsection (a) shall apply to funds
- 10 appropriated after the date of enactment of this Act.

#### 11 SEC. 2037. ADDITIONAL MITIGATION ACTIVITIES.

- 12 (a) Hazard Mitigation Clarification.—Section
- 13 404(a) of the Robert T. Stafford Disaster Relief and
- 14 Emergency Assistance Act (42 U.S.C. 5170c(a)) is
- 15 amended by striking the first sentence and inserting the
- 16 following: "The President may contribute up to 75 percent
- 17 of the cost of hazard mitigation measures which the Presi-
- 18 dent has determined are cost effective and which substan-
- 19 tially reduce the risk of, or increase resilience to, future
- 20 damage, hardship, loss, or suffering in any area affected
- 21 by a major disaster.".
- 22 (b) Eligible Cost.—Section 406(e)(1)(A) of such
- 23 Act (42 U.S.C. 5172(e)(1)(A)) is amended—
- 24 (1) in the matter preceding clause (i), by insert-
- ing after "section," the following: "for disasters de-

1	clared on or after August 1, 2017, or a disaster in
2	which a cost estimate has not yet been finalized for
3	a project,";
4	(2) in clause (i), by striking "and";
5	(3) in clause (ii)—
6	(A) by striking "codes, specifications, and
7	standards" and inserting "the latest published
8	editions of relevant consensus-based codes,
9	specifications, and standards that incorporate
10	the latest hazard-resistant designs and establish
11	minimum acceptable criteria for the design,
12	construction, and maintenance of residential
13	structures and facilities that may be eligible for
14	assistance under this Act for the purposes of
15	protecting the health, safety, and general wel-
16	fare of a facility's users against disasters";
17	(B) by striking "applicable at the time at
18	which the disaster occurred"; and
19	(C) by striking the period at the end and
20	inserting "; and; and
21	(4) by adding at the end the following:
22	"(iii) in a manner that allows the fa-
23	cility to meet the definition of resilient de-
24	veloped pursuant to this subsection.".

1	(c) Other Eligible Cost.—Section 406(e)(1) of
2	such Act (42 U.S.C. 5172(e)(1)) is further amended by
3	inserting at the end the following:
4	"(C) Contributions.—Contributions for
5	the eligible cost made under this section may be
6	provided on an actual cost basis or on cost-esti-
7	mation procedures.".
8	(d) New Rules.—Section 406(e) of such Act (42
9	U.S.C. 5172(e)) is further amended by adding at the end
10	the following:
11	"(5) New Rules.—
12	"(A) In General.—Not later than 18
13	months after the date of enactment of this
14	paragraph, the President, acting through the
15	Administrator of the Federal Emergency Man-
16	agement Agency, shall issue a final rulemaking
17	that defines the terms 'resilient' and 'resiliency'
18	for purposes of this subsection.
19	"(B) Interim Guidance.—Not later than
20	60 days after the date of enactment of this
21	paragraph, the Administrator shall issue in-
22	terim guidance to implement this subsection.
23	Such interim guidance shall expire 18 months
24	after the date of enactment of this paragraph

1	or upon issuance of final regulations pursuant
2	to subparagraph (A), whichever occurs first.
3	"(C) Guidance.—Not later than 90 days
4	after the date on which the Administrator
5	issues the final rulemaking under this para-
6	graph, the Administrator shall issue any nec-
7	essary guidance related to the rulemaking.
8	"(D) Report.—Not later than 2 years
9	after the date of enactment of this paragraph,
10	the Administrator shall submit to Congress a
11	report summarizing the regulations and guid-
12	ance issued pursuant to this paragraph.".
13	(e) Conforming Amendment.—Section 205(d)(2)
14	of the Disaster Mitigation Act of 2000 (Public Law 106–
15	390) is amended by inserting "(B)" after "except that
16	paragraph (1)".
17	SEC. 2038. FEDERAL COST-SHARE ADJUSTMENTS FOR RE-
18	PAIR, RESTORATION, AND REPLACEMENT OF
19	DAMAGED FACILITIES.
20	Section 406(b) of the Robert T. Stafford Disaster Re-
21	lief and Emergency Assistance Act (42 U.S.C. 5172(b))
22	is amended by inserting after paragraph (2) the following:
23	"(3) Increased federal share.—
24	"(A) Incentive measures.—The Presi-
25	dent may provide incentives to a State or Tribal

1	government to invest in measures that increase
2	readiness for, and resilience from, a major dis-
3	aster by recognizing such investments through
4	a sliding scale that increases the minimum Fed-
5	eral share to 85 percent. Such measures may
6	include—
7	"(i) the adoption of a mitigation plan
8	approved under section 322;
9	"(ii) investments in disaster relief, in-
10	surance, and emergency management pro-
11	grams;
12	"(iii) encouraging the adoption and
13	enforcement of the latest published edi-
14	tions of relevant consensus-based codes,
15	specifications, and standards that incor-
16	porate the latest hazard-resistant designs
17	and establish minimum acceptable criteria
18	for the design, construction, and mainte-
19	nance of residential structures and facili-
20	ties that may be eligible for assistance
21	under this Act for the purpose of pro-
22	tecting the health, safety, and general wel-
23	fare of the buildings' users against disas-
24	ters:

1	"(iv) facilitating participation in the
2	community rating system; and
3	"(v) funding mitigation projects or
4	granting tax incentives for projects that re-
5	duce risk.
6	"(B) Comprehensive Guidance.—Not
7	later than 1 year after the date of enactment of
8	this paragraph, the President, acting through
9	the Administrator, shall issue comprehensive
10	guidance to State and Tribal governments re-
11	garding the measures and investments, weight-
12	ed appropriately based on actuarial assessments
13	of eligible actions, that will be recognized for
14	the purpose of increasing the Federal share
15	under this section. Guidance shall ensure that
16	the agency's review of eligible measures and in-
17	vestments does not unduly delay determining
18	the appropriate Federal cost share.
19	"(C) Report.—One year after the
20	issuance of the guidance required by subpara-
21	graph (B), the Administrator shall submit to
22	the Committee on Transportation and Infra-
23	structure of the House of Representatives and
24	the Committee on Homeland Security and Gov-

ernmental Affairs of the Senate a report re-

1	garding the analysis of the Federal cost shares
2	paid under this section.
3	"(D) SAVINGS CLAUSE.—Nothing in this
4	paragraph prevents the President from increas-
5	ing the Federal cost share above 85 percent.".
6	DIVISION C—OTHER MATTERS
7	SEC. 3001. TREATMENT OF SEED COTTON.
8	(a) Definition.—Section 1111 of the Agricultural
9	Act of 2014 (7 U.S.C. 9011) is amended by adding at
10	the end the following new paragraph:
11	"(25) SEED COTTON.—The term 'seed cotton'
12	means unginned upland cotton that includes both
13	lint and seed.".
14	(b) Designation as Covered Commodity.—Sec-
15	tion 1111(6) of the Agricultural Act of 2014 (7 U.S.C.
16	9011(6)) is amended by adding at the end the following
17	new sentence: "Effective beginning with the 2018 crop
18	year, the term includes seed cotton.".
19	(c) Reference Price.—Section 1111(18) of the
20	Agricultural Act of 2014 (7 U.S.C. 9011(18)) is amended
21	by adding at the end the following new subparagraph:
22	"(O) For seed cotton, \$0.367 per pound.".
23	(d) Payment Yield.—Section 1113(d) of the Agri-
24	cultural Act of 2014 (7 U.S.C. 9013(d)) is amended by
25	adding at the end the following new paragraph:

1	"(5) Payment yield for seed cotton.—
2	"(A) PAYMENT YIELD.—Subject to sub-
3	paragraph (B), the payment yield for seed cot-
4	ton for a farm shall be equal to 2.4 times the
5	payment yield for upland cotton for the farm
6	established for purposes of subsection (e)(3) of
7	section 1104 of the Food, Conservation, and
8	Energy Act of 2008 (Public Law 110–246; 122
9	Stat. 1672), as in effect immediately before the
10	repeal of such section by section 1102(a) of the
11	Agricultural Act of 2014 (Public Law 113–79
12	128 Stat. 658).
13	"(B) UPDATE.—At the sole discretion of
14	the owner of a farm with a yield described in
15	subparagraph (A), the owner of the farm shall
16	have a 1-time opportunity to update the pay-
17	ment yield for upland cotton for the farm, as
18	provided in subsection (d), for the purpose of
19	calculating the payment yield for seed cotton
20	under such subparagraph.".
21	(e) Payment Acres.—Section 1114(b) of the Agri-
22	cultural Act of 2014 (7 U.S.C. 9014(b)) is amended by
23	adding at the end the following new paragraph:
24	"(4) SEED COTTON RULE.—

1	"(A) In General.—Not later than 90
2	days after the date of the enactment of this
3	paragraph, the Secretary shall require the
4	owner of a farm to allocate all generic base
5	acres on the farm under subparagraph (B) or
6	(C), or both.
7	"(B) No recent history of covered
8	COMMODITIES.—In the case of a farm where no
9	covered commodities (including seed cotton)
10	were planted or were prevented from being
11	planted at any time during the 2009 through
12	2016 crop years, the owner of such farm shall
13	allocate generic base acres on the farm to unas-
14	signed crop base for which no payments may be
15	made under section 1116 or 1117.
16	"(C) RECENT HISTORY OF COVERED COM-
17	MODITIES.—In the case of a farm not described
18	in subparagraph (B), the owner of such farm
19	shall allocate generic base acres on the farm—
20	"(i) subject to subparagraph (D), to
21	seed cotton base acres in an amount equal
22	to the greater of—
23	"(I) 80 percent of the generic
24	base acres on the farm; or

1	"(II) the average seed cotton
2	acres planted or prevented from being
3	planted on the farm during the 2009
4	through 2012 crop years (not to ex-
5	ceed the total generic base acres on
6	the farm); or
7	"(ii) to covered commodities (includ-
8	ing seed cotton), by applying subpara-
9	graphs (B), (D), (E), and (F) of section
10	1112(a)(3).
11	"(D) Treatment of residual generic
12	BASE ACRES.—In the case of a farm where ge-
13	neric base acres are allocated under subpara-
14	graph (C)(i), the residual generic base acres
15	shall be allocated to unassigned crop base for
16	which no payments may be made under section
17	1116 or 1117.
18	"(E) Effect of failure to allo-
19	CATE.—If the owner of a farm fails to allocate
20	generic base acres on the farm, the owner of
21	the farm shall be deemed to have allocated all
22	generic base acres in accordance with subpara-
23	graph (C)(i).".
24	(f) Recordkeeping Regarding Unassigned Crop
25	Base.—Section 1114 of the Agricultural Act of 2014 (7

1	U.S.C. 9014) is amended by adding at the end the fol-
2	lowing new subsection:
3	"(f) Unassigned Crop Base.—The Secretary shall
4	maintain information on generic base acres on a farm allo-
5	cated as unassigned crop base pursuant to subsection
6	(b)(4).".
7	(g) Special Election Period for Price Loss
8	COVERAGE OR AGRICULTURE RISK COVERAGE.—Section
9	1115 of the Agricultural Act of 2014 (7 U.S.C. 9014(b))
10	is amended—
11	(1) in subsection (a), by striking "For" and in-
12	serting "Except as provided in subsection (g), for"
13	and
14	(2) by adding at the end the following new sub-
15	section:
16	"(g) Special Election.—
17	"(1) Election required.—In the case of
18	acres allocated on a farm to seed cotton, all of the
19	producers on the farm shall be given the opportunity
20	to make a new 1-time election under subsection (a)
21	to reflect the designation of seed cotton as a covered
22	commodity for that crop year under section 1111(6).
23	"(2) Effect of failure to make unani-

MOUS ELECTION.—If all of the producers on a farm

fail to make a unanimous election under paragraph

24

1	(1), the producers on the farm shall be deemed to
2	have elected price loss coverage under section 1116
3	for all acres allocated on the farm to seed cotton.".
4	(h) Effective Price.—Section 1116 of the Agricul-
5	tural Act of 2014 (7 U.S.C. 9016(b)) is amended by add-
6	ing at the end the following new subsection:
7	"(h) Effective Price for Seed Cotton.—
8	"(1) In general.—The effective price for seed
9	cotton under subsection (b) shall be equal to the
10	marketing year average price for seed cotton, as cal-
11	culated under paragraph (2).
12	"(2) CALCULATION.—The marketing year aver-
13	age price for seed cotton for a crop year shall be
14	equal to the quotient of—
15	"(A) a dividend that is equal to the sum
16	of—
17	"(i) the product obtained when the
18	upland cotton lint marketing year average
19	price is multiplied by total United States
20	upland cotton lint production measured in
21	pounds; and
22	"(ii) the product obtained when the
23	cottonseed marketing year average price is
24	multiplied by total United States cotton-
25	seed production measured in pounds; and

1	"(B) a divisor that is equal to the sum
2	of—
3	"(i) total United States upland cotton
4	lint production measured in pounds; and
5	"(ii) total United States cottonseed
6	production measured in pounds.".
7	(i) DEEMED LOAN RATE FOR SEED COTTON.—Sec-
8	tion 1202 of the Agricultural Act of 2014 (7 U.S.C. 9032)
9	is amended by adding at the end the following new sub-
10	section:
11	"(c) Rule for Seed Cotton.—
12	"(1) In general.—For purposes of section
13	1116(b)(2) and paragraphs (1)(B)(ii) and
14	(2)(A)(ii)(II) of section 1117(b) only, seed cotton
15	shall be deemed to have a loan rate equal to $\$0.25$
16	per pound.
17	"(2) Rule of Construction.—Nothing in
18	this subsection shall be construed to authorize non-
19	recourse marketing assistance loans under this part
20	for seed cotton.".
21	(j) Limitation on Stacked Income Protection
22	PLAN FOR PRODUCERS OF UPLAND COTTON.—Section
23	508B of the Agricultural Adjustment Act of 1938 (7
24	U.S.C. 1508b) is amended by adding the following new
25	subsection:

- 1 "(f) Limitation.—Beginning with the 2018 crop
- 2 year, in the case of a farm that is enrolled for a crop year
- 3 in price loss coverage under section 1116 of the Agricul-
- 4 tural Act of 2014 (7 U.S.C. 9016) or agriculture risk cov-
- 5 erage under section 1117 of such Act (7 U.S.C. 9017) and
- 6 the coverage on the farm includes seed cotton, the farm
- 7 shall not be eligible for a Stacked Income Protection Plan
- 8 for upland cotton for that crop year.".
- 9 (k) TECHNICAL CORRECTION.—Section 1114(b)(2)
- 10 of the Agricultural Act of 2014 (7 U.S.C. 9014(b)(2)) is
- 11 amended by striking "paragraphs (1)(B) and (2)(B)" and
- 12 inserting "paragraphs (1) and (2)".
- 13 (l) Administration.—The Secretary of Agriculture
- 14 shall carry out the amendments made by this section in
- 15 the manner provided under section 1601 of the Agricul-
- 16 tural Act of 2014 (7 U.S.C. 9091).
- 17 (m) Application.—The amendments made by this
- 18 section shall apply beginning with the 2018 crop year.
- 19 SEC. 3002. LIMITATION ON CROP INSURANCE LIVESTOCK-
- 20 RELATED EXPENDITURES.
- 21 (a) In General.—Paragraph (10) of section 523(b)
- 22 of the Federal Crop Insurance Act (7 U.S.C. 1523) is re-
- 23 pealed.
- 24 (b) Conforming Amendments.—Section 516 of the
- 25 Federal Crop Insurance Act (7 U.S.C. 1516) is amended

1	in subsections $(a)(2)(C)$ and $(b)(1)(D)$ by striking "sub-
2	sections $(a)(3)(E)(ii)$ and $(b)(10)$ of section 523" and in-
3	serting "subsection (a)(3)(E)(ii) of such section".
4	SEC. 3003. NATIONAL ACCURACY CLEARINGHOUSE.
5	The Food and Nutrition Act of 2008 (7 U.S.C. 2011
6	et seq.) is amended at the end by adding the following:
7	"SEC. 30. NATIONAL ACCURACY CLEARINGHOUSE.
8	"(a) In General.—The Secretary shall establish an
9	interstate database, or system of databases, of supple-
10	mental nutrition assistance program information to be
11	known as the National Accuracy Clearinghouse.
12	"(b) Purpose.—Any database or system of data-
13	bases established pursuant to subsection (a) shall be used
14	by States when making eligibility determinations to pre-
15	vent supplemental nutrition assistance program partici-
16	pants from receiving duplicative benefits in multiple
17	States.
18	"(c) Implementation.—
19	"(1) Issuance of interim final regula-
20	TIONS.—Not later than 18 months after the effective
21	date of this section, the Secretary shall issue interim
22	final regulations to carry out this section that—
23	"(A) incorporate best practices and lessons
24	learned from the regional pilot project ref-

1	erenced in section 4032(c) of the Agricultural
2	Act of 2014 (7 U.S.C. 2036c(c));
3	"(B) safeguard the security of the data
4	stored in the National Accuracy Clearinghouse
5	and protect the privacy of supplemental nutri-
6	tion assistance program participants and appli-
7	cants; and
8	"(C) detail the process States will be re-
9	quired to follow for—
10	"(i) conducting initial and ongoing
11	matches of participant and applicant data;
12	"(ii) identifying and acting on all ap-
13	parent instances of duplicative participa-
14	tion by participants or applicants in mul-
15	tiple States; and
16	"(iii) complying with such other rules
17	and standards the Secretary determines
18	appropriate to carry out this section.
19	"(2) TIMING.—The initial match and cor-
20	responding actions required by paragraph (1)(C)
21	shall occur within 3 years after the effective date of
22	this section.".

1	SEC. 3004. PUERTO RICO LOW-INCOME COMMUNITIES
2	TREATED AS QUALIFIED OPPORTUNITY
3	ZONE.
4	(a) In General.—Section 1400Z-1(b) of the Inter-
5	nal Revenue Code of 1986, as added by the Tax Cuts and
6	Jobs Act, is amended by adding at the end the following
7	new paragraph:
8	"(3) Special rule for puerto rico.—Each
9	population census tract in Puerto Rico that is a low-
10	income community shall be deemed to be certified
11	and designated as a qualified opportunity zone.".
12	(b) Conforming Amendment.—Section 1400Z-
13	1(d)(1) of such Code is amended by inserting "and sub-
14	section (b)(3)" after "paragraph (2)".
15	(e) Effective Date.—The amendments made by
16	this section shall take effect as if included in the enact-
17	ment of section 13823 of the Tax Cuts and Jobs Act, and
18	the deemed certification and designation under section
19	1400Z-1(b)(3) of such Code, as added by this section,
20	shall treated as effective on the date of the enactment of
21	such Act.
22	DIVISION D—BUDGETARY
23	<b>EFFECTS</b>
24	SEC. 4001. BUDGETARY EFFECTS.
25	(a) In General.—The budgetary effects of division
26	B and each succeeding division (other than division E)

- 1 shall not be entered on either PAYGO scorecard main-
- 2 tained pursuant to section 4(d) of the Statutory Pay-As-
- 3 You-Go Act of 2010.
- 4 (b) SENATE PAYGO SCORECARDS.—The budgetary
- 5 effects of division B and each succeeding division (other
- 6 than division E) shall not be entered on any PAYGO
- 7 scorecard maintained for purposes of section 4106 of H.
- 8 Con. Res. 71 (115th Congress).
- 9 (c) Classification of Budgetary Effects.—
- 10 Notwithstanding Rule 3 of the Budget Scorekeeping
- 11 Guidelines set forth in the joint explanatory statement of
- 12 the committee of conference accompanying Conference Re-
- 13 port 105-217 and section 250(c)(8) of the Balanced
- 14 Budget and Emergency Deficit Control Act of 1985, the
- 15 budgetary effects of division B and each succeeding divi-
- 16 sion (other than division E) shall not be estimated—
- 17 (1) for purposes of section 251 of such Act; and
- 18 (2) for purposes of paragraph (4)(C) of section
- 3 of the Statutory Pay-As-You-Go Act of 2010 as
- being included in an appropriation Act.

### 21 **DIVISION E—TAX RELIEF RELAT-**

- 22 ING TO CERTAIN DISASTERS
- 23 TITLE I—CALIFORNIA FIRES
- 24 SEC. 5001. DEFINITIONS.
- 25 For purposes of this title—

1	(1) California wildfire disaster zone.—
2	The term "California wildfire disaster zone" means
3	that portion of the California wildfire disaster area
4	determined by the President to warrant individual or
5	individual and public assistance from the Federal
6	Government under the Robert T. Stafford Disaster
7	Relief and Emergency Assistance Act by reason of
8	wildfires in California.
9	(2) California wildfire disaster area.—
10	The term "California wildfire disaster area" means
11	an area with respect to which during 2017 a major
12	disaster has been declared by the President under
13	section 401 of such Act by reason of wildfires in
14	California.
15	SEC. 5002. SPECIAL DISASTER-RELATED RULES FOR USE OF
16	RETIREMENT FUNDS.
16 17	RETIREMENT FUNDS.  (a) Tax-Favored Withdrawals From Retire-
17	
17	(a) Tax-Favored Withdrawals From Retire-
17 18	(a) TAX-FAVORED WITHDRAWALS FROM RETIRE- MENT PLANS.—
17 18 19	(a) Tax-Favored Withdrawals From Retire- Ment Plans.—  (1) In General.—Section 72(t) of the Internal
17 18 19 20	(a) Tax-Favored Withdrawals From Retire- Ment Plans.—  (1) In General.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any quali-
17 18 19 20 21	(a) Tax-Favored Withdrawals From Retire-Ment Plans.—  (1) In General.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified wildfire distribution.
117 118 119 220 221 222	(a) Tax-Favored Withdrawals From Retirement Plans.—  (1) In General.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified wildfire distribution.  (2) Aggregate Dollar Limitation.—

1	treated as qualified wildfire distributions for
2	any taxable year shall not exceed the excess (if
3	any) of—
4	(i) \$100,000, over
5	(ii) the aggregate amounts treated as
6	qualified wildfire distributions received by
7	such individual for all prior taxable years.
8	(B) Treatment of Plan distribu-
9	TIONS.—If a distribution to an individual would
10	(without regard to subparagraph (A)) be a
11	qualified wildfire distribution, a plan shall not
12	be treated as violating any requirement of the
13	Internal Revenue Code of 1986 merely because
14	the plan treats such distribution as a qualified
15	wildfire distribution, unless the aggregate
16	amount of such distributions from all plans
17	maintained by the employer (and any member
18	of any controlled group which includes the em-
19	ployer) to such individual exceeds \$100,000.
20	(C) CONTROLLED GROUP.—For purposes
21	of subparagraph (B), the term "controlled
22	group" means any group treated as a single
23	employer under subsection (b), (c), (m), or (o)
24	of section 414 of the Internal Revenue Code of

25

1986.

(3)	) Amount	DISTRIBUTED	MAY	BE	REPAID.—	
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(A) IN GENERAL.—Any individual who receives a qualified wildfire distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), of the Internal Revenue Code of 1986, as the case may be.

(B) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified wildfire distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified wildfire distribution in an eligible roll-

over distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

- (C) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified wildfire distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, the qualified wildfire distribution shall be treated as a distribution described in section 408(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.
- (4) Definitions.—For purposes of this subsection—
- (A) QUALIFIED WILDFIRE DISTRIBU-TION.—Except as provided in paragraph (2), the term "qualified wildfire distribution" means any distribution from an eligible retirement

1	plan made on or after October 8, 2017, and be-
2	fore January 1, 2019, to an individual whose
3	principal place of abode on October 8, 2017, is
4	located in the California wildfire disaster area
5	and who has sustained an economic loss by rea-
6	son of the wildfires to which the declaration of
7	such area relates.
8	(B) ELIGIBLE RETIREMENT PLAN.—The
9	term "eligible retirement plan" shall have the
10	meaning given such term by section
11	402(c)(8)(B) of the Internal Revenue Code of
12	1986.
13	(5) Income inclusion spread over 3-year
14	PERIOD.—
15	(A) In General.—In the case of any
16	qualified wildfire distribution, unless the tax-
17	payer elects not to have this paragraph apply
18	for any taxable year, any amount required to be
19	included in gross income for such taxable year
20	shall be so included ratably over the 3-taxable-
21	year period beginning with such taxable year.
22	(B) Special rule.—For purposes of sub-
23	paragraph (A), rules similar to the rules of sub-
24	paragraph (E) of section 408A(d)(3) of the In-

ternal Revenue Code of 1986 shall apply.

1	(6) Special rules.—	
2	(A) Exemption of distributions	FROM
3	TRUSTEE TO TRUSTEE TRANSFER AND	WITH-
4	HOLDING RULES.—For purposes of s	ections
5	401(a)(31), $402(f)$ , and $3405$ of the In	nternal
6	Revenue Code of 1986, qualified wildfi	re dis-
7	tributions shall not be treated as eligib	le roll-
8	over distributions.	
9	(B) Qualified wildfire distribu	UTIONS
10	TREATED AS MEETING PLAN DISTRIBUTION	ON RE-
11	QUIREMENTS.—For purposes the Interna	al Rev-
12	enue Code of 1986, a qualified wildfire di	stribu-
13	tion shall be treated as meeting the r	equire-
14	ments of sections 401(k)(2)	(B)(i),
15	403(b)(7)(A)(ii), $403(b)(11)$ , and $457(d)$	(1)(A)
16	of such Code.	
17	(b) Recontributions of Withdrawals	s FOR
18	Home Purchases.—	
19	(1) Recontributions.—	
20	(A) In General.—Any individual v	vho re-
21	ceived a qualified distribution may, duri	ng the
22	period beginning on October 8, 2017, an	d end-
23	ing on June 30, 2018, make one or more	re con-
24	tributions in an aggregate amount not to	exceed

the amount of such qualified distribution to an

1	eligible retirement plan (as defined in section
2	402(c)(8)(B) of the Internal Revenue Code of
3	1986) of which such individual is a beneficiary
4	and to which a rollover contribution of such dis-
5	tribution could be made under section 402(c),
6	403(a)(4), $403(b)(8)$ , or $408(d)(3)$ , of such
7	Code, as the case may be.
8	(B) Treatment of repayments.—Rules
9	similar to the rules of subparagraphs (B) and
10	(C) of subsection (a)(3) shall apply for purposes
11	of this subsection.
12	(2) QUALIFIED DISTRIBUTION.—For purposes
13	of this subsection, the term "qualified distribution"
14	means any distribution—
15	(A) described in section
16	401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only
17	to the extent such distribution relates to finan-
18	cial hardship), $403(b)(11)(B)$ , or $72(t)(2)(F)$ ,
19	of the Internal Revenue Code of 1986,
20	(B) received after March 31, 2017, and be-
21	fore January 15, 2018, and
22	(C) which was to be used to purchase or
23	construct a principal residence in the California
24	wildfire disaster area but which was not so pur-
25	chased or constructed on account of the

1	wildfires to which the declaration of such area
2	relates.
3	(c) Loans From Qualified Plans.—
4	(1) Increase in limit on loans not treat-
5	ED AS DISTRIBUTIONS.—In the case of any loan
6	from a qualified employer plan (as defined under
7	section 72(p)(4) of the Internal Revenue Code of
8	1986) to a qualified individual made during the pe-
9	riod beginning on the date of the enactment of this
10	Act and ending on December 31, 2018—
11	(A) clause (i) of section $72(p)(2)(A)$ of
12	such Code shall be applied by substituting
13	"\$100,000" for "\$50,000", and
14	(B) clause (ii) of such section shall be ap-
15	plied by substituting "the present value of the
16	nonforfeitable accrued benefit of the employee
17	under the plan" for "one-half of the present
18	value of the nonforfeitable accrued benefit of
19	the employee under the plan".
20	(2) Delay of Repayment.—In the case of a
21	qualified individual with an outstanding loan on or
22	after October 8, 2017, from a qualified employer
23	plan (as defined in section 72(p)(4) of the Internal
24	Revenue Code of 1986)—

1	(A) if the due date pursuant to subpara-
2	graph (B) or (C) of section $72(p)(2)$ of such
3	Code for any repayment with respect to such
4	loan occurs during the period beginning on Oc-
5	tober 8, 2017, and ending on December 31
6	2018, such due date shall be delayed for 1 year
7	(B) any subsequent repayments with re-
8	spect to any such loan shall be appropriately
9	adjusted to reflect the delay in the due date
10	under paragraph (1) and any interest accruing
11	during such delay, and
12	(C) in determining the 5-year period and
13	the term of a loan under subparagraph (B) or
14	(C) of section 72(p)(2) of such Code, the period
15	described in subparagraph (A) shall be dis-
16	regarded.
17	(3) QUALIFIED INDIVIDUAL.—For purposes of
18	this subsection, the term "qualified individual"
19	means any individual whose principal place of abode
20	on October 8, 2017, is located in the California wild-
21	fire disaster area and who has sustained an eco-
22	nomic loss by reason of wildfires to which the dec-
23	laration of such area relates.
24	(d) Provisions Relating to Plan Amend-
25	MENTS.—

1	(1) In general.—If this subsection applies to
2	any amendment to any plan or annuity contract,
3	such plan or contract shall be treated as being oper-
4	ated in accordance with the terms of the plan during
5	the period described in paragraph (2)(B)(i).
6	(2) Amendments to which subsection ap-
7	PLIES.—
8	(A) IN GENERAL.—This subsection shall
9	apply to any amendment to any plan or annuity
10	contract which is made—
11	(i) pursuant to any provision of this
12	section, or pursuant to any regulation
13	issued by the Secretary or the Secretary of
14	Labor under any provision of this section,
15	and
16	(ii) on or before the last day of the
17	first plan year beginning on or after Janu-
18	ary 1, 2019, or such later date as the Sec-
19	retary may prescribe.
20	In the case of a governmental plan (as defined
21	in section 414(d) of the Internal Revenue Code
22	of 1986), clause (ii) shall be applied by sub-
23	stituting the date which is 2 years after the
24	date otherwise applied under clause (ii).

1	(B) Conditions.—This subsection shall
2	not apply to any amendment unless—
3	(i) during the period—
4	(I) beginning on the date that
5	this section or the regulation de-
6	scribed in subparagraph (A)(i) takes
7	effect (or in the case of a plan or con-
8	tract amendment not required by this
9	section or such regulation, the effec-
10	tive date specified by the plan), and
11	(II) ending on the date described
12	in subparagraph (A)(ii) (or, if earlier,
13	the date the plan or contract amend-
14	ment is adopted),
15	the plan or contract is operated as if such plan
16	or contract amendment were in effect, and
17	(ii) such plan or contract amendment
18	applies retroactively for such period.
19	SEC. 5003. EMPLOYEE RETENTION CREDIT FOR EMPLOY-
20	ERS AFFECTED BY CALIFORNIA WILDFIRES.
21	(a) In General.—For purposes of section 38 of the
22	Internal Revenue Code of 1986, in the case of an eligible
23	employer, the California wildfire employee retention credit
24	shall be treated as a credit listed in subsection (b) of such
25	section. For purposes of this subsection, the California

1	wildfire employee retention credit for any taxable year is
2	an amount equal to 40 percent of the qualified wages with
3	respect to each eligible employee of such employer for such
4	taxable year. For purposes of the preceding sentence, the
5	amount of qualified wages which may be taken into ac-
6	count with respect to any individual shall not exceed
7	\$6,000.
8	(b) Definitions.—For purposes of this section—
9	(1) Eligible employer.—The term "eligible
10	employer" means any employer—
11	(A) which conducted an active trade or
12	business on October 8, 2017, in the California
13	wildfire disaster zone, and
14	(B) with respect to whom the trade or
15	business described in subparagraph (A) is inop-
16	erable on any day after October 8, 2017, and
17	before January 1, 2018, as a result of damage
18	sustained by reason of the wildfires to which
19	such declaration of such area relates.
20	(2) ELIGIBLE EMPLOYEE.—The term "eligible
21	employee" means with respect to an eligible em-
22	ployer an employee whose principal place of employ-
23	ment on October 8, 2017, with such eligible em-

ployer was in the California wildfire disaster zone.

1	(3) Qualified wages.—The term "qualified
2	wages" means wages (as defined in section 51(c)(1)
3	of the Internal Revenue Code of 1986, but without
4	regard to section 3306(b)(2)(B) of such Code) paid
5	or incurred by an eligible employer with respect to
6	an eligible employee on any day after October 8,
7	2017, and before January 1, 2018, which occurs
8	during the period—
9	(A) beginning on the date on which the
10	trade or business described in paragraph (1)
11	first became inoperable at the principal place of
12	employment of the employee immediately before
13	the wildfires to which the declaration of the
14	California wildfire disaster area relates, and
15	(B) ending on the date on which such
16	trade or business has resumed significant oper-
17	ations at such principal place of employment.
18	Such term shall include wages paid without regard
19	to whether the employee performs no services, per-
20	forms services at a different place of employment
21	than such principal place of employment, or per-
22	forms services at such principal place of employment
23	before significant operations have resumed.
24	(c) Certain Rules To Apply.—For purposes of

25 this section, rules similar to the rules of sections 51(i)(1),

1	52, and 280C(a) of the Internal Revenue Code of 1986.
2	shall apply.
3	(d) Employee Not Taken Into Account More
4	THAN ONCE.—An employee shall not be treated as an eli-
5	gible employee for purposes of this section for any period
6	with respect to any employer if such employer is allowed
7	a credit under section 51 of the Internal Revenue Code
8	of 1986 with respect to such employee for such period
9	SEC. 5004. ADDITIONAL DISASTER-RELATED TAX RELIEF
10	PROVISIONS.
11	(a) Temporary Suspension of Limitations on
12	CHARITABLE CONTRIBUTIONS.—
13	(1) In general.—Except as otherwise pro-
14	vided in paragraph (2), subsection (b) of section 170
15	of the Internal Revenue Code of 1986 shall not
16	apply to qualified contributions and such contribu-
17	tions shall not be taken into account for purposes of
18	applying subsections (b) and (d) of such section to
19	other contributions.
20	(2) Treatment of excess contributions.—
21	For purposes of section 170 of the Internal Revenue
22	Code of 1986—
23	(A) Individuals.—In the case of an indi-
24	vidual—

1	(i) Limitation.—Any qualified con-
2	tribution shall be allowed only to the ex-
3	tent that the aggregate of such contribu-
4	tions does not exceed the excess of the tax-
5	payer's contribution base (as defined in
6	subparagraph (G) of section 170(b)(1) of
7	such Code) over the amount of all other
8	charitable contributions allowed under sec-
9	tion 170(b)(1) of such Code.
10	(ii) Carryover.—If the aggregate
11	amount of qualified contributions made in
12	the contribution year (within the meaning
13	of section 170(d)(1) of such Code) exceeds
14	the limitation of clause (i), such excess
15	shall be added to the excess described in
16	the portion of subparagraph (A) of such
17	section which precedes clause (i) thereof
18	for purposes of applying such section.
19	(B) Corporations.—In the case of a cor-
20	poration—
21	(i) Limitation.—Any qualified con-
22	tribution shall be allowed only to the ex-
23	tent that the aggregate of such contribu-
24	tions does not exceed the excess of the tax-
25	payer's taxable income (as determined

1	under paragraph (2) of section 170(b) of
2	such Code) over the amount of all other
3	charitable contributions allowed under such
4	paragraph.
5	(ii) Carryover.—Rules similar to the
6	rules of subparagraph (A)(ii) shall apply
7	for purposes of this subparagraph.
8	(3) Exception to overall limitation on
9	ITEMIZED DEDUCTIONS.—So much of any deduction
10	allowed under section 170 of the Internal Revenue
11	Code of 1986 as does not exceed the qualified con-
12	tributions paid during the taxable year shall not be
13	treated as an itemized deduction for purposes of sec-
14	tion 68 of such Code.
15	(4) Qualified contributions.—
16	(A) In general.—For purposes of this
17	subsection, the term "qualified contribution"
18	means any charitable contribution (as defined
19	in section 170(c) of the Internal Revenue Code
20	of 1986) if—
21	(i) such contribution—
22	(I) is paid during the period be-
23	ginning on October 8, 2017, and end-
24	ing on December 31, 2017, in cash to

1	an organization described in section
2	170(b)(1)(A) of such Code, and
3	(II) is made for relief efforts in
4	the California wildfire disaster area,
5	(ii) the taxpayer obtains from such or-
6	ganization contemporaneous written ac-
7	knowledgment (within the meaning of sec-
8	tion 170(f)(8) of such Code) that such con-
9	tribution was used (or is to be used) for
10	relief efforts described in clause (i)(II),
11	and
12	(iii) the taxpayer has elected the ap-
13	plication of this subsection with respect to
14	such contribution.
15	(B) Exception.—Such term shall not in-
16	clude a contribution by a donor if the contribu-
17	tion is—
18	(i) to an organization described in sec-
19	tion 509(a)(3) of the Internal Revenue
20	Code of 1986, or
21	(ii) for the establishment of a new, or
22	maintenance of an existing, donor advised
23	fund (as defined in section 4966(d)(2) of
24	such Code).

1	(C) Application of election to part-
2	NERSHIPS AND S CORPORATIONS.—In the case
3	of a partnership or S corporation, the election
4	under subparagraph (A)(iii) shall be made sepa-
5	rately by each partner or shareholder.
6	(b) Special Rules for Qualified Disaster-Re-
7	LATED PERSONAL CASUALTY LOSSES.—
8	(1) In general.—If an individual has a net
9	disaster loss for any taxable year—
10	(A) the amount determined under section
11	165(h)(2)(A)(ii) of the Internal Revenue Code
12	of 1986 shall be equal to the sum of—
13	(i) such net disaster loss, and
14	(ii) so much of the excess referred to
15	in the matter preceding clause (i) of sec-
16	tion $165(h)(2)(A)$ of such Code (reduced
17	by the amount in clause (i) of this sub-
18	paragraph) as exceeds 10 percent of the
19	adjusted gross income of the individual,
20	(B) section 165(h)(1) of such Code shall
21	be applied by substituting "\$500" for "\$500
22	(\$100 for taxable years beginning after Decem-
23	ber 31, 2009)",

1	(C) the standard deduction determined
2	under section 63(c) of such Code shall be in-
3	creased by the net disaster loss, and
4	(D) section 56(b)(1)(E) of such Code shall
5	not apply to so much of the standard deduction
6	as is attributable to the increase under sub-
7	paragraph (C) of this paragraph.
8	(2) Net disaster loss.—For purposes of this
9	subsection, the term "net disaster loss" means the
10	excess of qualified disaster-related personal casualty
11	losses over personal casualty gains (as defined in
12	section 165(h)(3)(A) of the Internal Revenue Code
13	of 1986).
14	(3) Qualified disaster-related personal
15	CASUALTY LOSSES.—For purposes of this sub-
16	section, the term "qualified disaster-related personal
17	casualty losses" means losses described in section
18	165(c)(3) of the Internal Revenue Code of 1986
19	which arise in the California wildfire disaster area
20	on or after October 8, 2017, and which are attrib-
21	utable to the wildfires to which the declaration of
22	such area relates.
23	(c) Special Rule for Determining Earned In-

24 COME.—

1	(1) In general.—In the case of a qualified in-
2	dividual, if the earned income of the taxpayer for the
3	taxable year which includes the applicable date is
4	less than the earned income of the taxpayer for the
5	preceding taxable year, the credits allowed under
6	sections 24(d) and 32 of the Internal Revenue Code
7	of 1986 may, at the election of the taxpayer, be de-
8	termined by substituting—
9	(A) such earned income for the preceding
10	taxable year, for
11	(B) such earned income for the taxable
12	year which includes October 8, 2017.
13	(2) Qualified individual.—For purposes of
14	this subsection, the term "qualified individual"
15	means any individual whose principal place of abode
16	on October 8, 2017, was located—
17	(A) in the California wildfire disaster zone,
18	or
19	(B) in the California wildfire disaster area
20	(but outside the California wildfire disaster
21	zone) and such individual was displaced from
22	such principal place of abode by reason of the
23	wildfires to which the declaration of such area
24	relates.

1	(3) Earned income.—For purposes of this
2	subsection, the term "earned income" has the mean-
3	ing given such term under section 32(c) of the Inter-
4	nal Revenue Code of 1986.
5	(4) Special rules.—
6	(A) APPLICATION TO JOINT RETURNS.—
7	For purposes of paragraph (1), in the case of
8	a joint return for a taxable year which includes
9	October 8, 2017—
10	(i) such paragraph shall apply if ei-
11	ther spouse is a qualified individual, and
12	(ii) the earned income of the taxpayer
13	for the preceding taxable year shall be the
14	sum of the earned income of each spouse
15	for such preceding taxable year.
16	(B) Uniform application of elec-
17	TION.—Any election made under paragraph (1)
18	shall apply with respect to both sections 24(d)
19	and 32, of the Internal Revenue Code of 1986.
20	(C) Errors treated as mathematical
21	ERROR.—For purposes of section 6213 of the
22	Internal Revenue Code of 1986, an incorrect
23	use on a return of earned income pursuant to
24	paragraph (1) shall be treated as a mathe-
25	matical or clerical error.

1	(D) NO EFFECT ON DETERMINATION OF
2	GROSS INCOME, ETC.—Except as otherwise pro-
3	vided in this subsection, the Internal Revenue
4	Code of 1986 shall be applied without regard to
5	any substitution under paragraph (1).
6	TITLE II—TAX RELIEF FOR HUR-
7	RICANES HARVEY, IRMA, AND
8	MARIA
9	SEC. 5101. TAX RELIEF FOR HURRICANES HARVEY, IRMA,
10	AND MARIA.
11	(a) Modification of Hurricanes Harvey and
12	IRMA DISASTER AREAS.—Subsections (a)(2) and (b)(2) of
13	section 501 of the Disaster Tax Relief and Airport and
14	Airway Extension Act of 2017 (Public Law 115-63; 131
15	Stat. 1173) are both amended by striking "September 21,
16	2017" and inserting "October 17, 2017".
17	(b) Employee Retention Credit.—Subsections
18	(a)(3), $(b)(3)$ , and $(c)(3)$ of section 503 of the Disaster
19	Tax Relief and Airport and Airway Extension Act of 2017
20	(Public Law 115-63; 131 Stat. 1181) are each amended
21	by striking "sections 51(i)(1) and 52" and inserting "sec-
22	tions 51(i)(1), 52, and 280C(a)".
23	(c) Effective Date.—The amendments made by
24	this section shall take effect as if included in the provisions
25	of title V of the Disaster Tax Relief and Airport and Air-

- 1 way Extension Act of 2017 to which such amendments
- 2 relate.

#### 3 TITLE III—BUDGETARY EFFECTS

- 4 SEC. 5201. EMERGENCY DESIGNATION.
- 5 This division is designated as an emergency require-
- 6 ment pursuant to section 4(g) of the Statutory Pay-As-
- 7 You-Go Act of 2010 (2 U.S.C. 933(g)).
- 8 SEC. 5202. DESIGNATION IN SENATE.
- 9 In the Senate, this division is designated as an emer-
- 10 gency requirement pursuant to section 403(a) of S. Con.
- 11 Res. 13 (111th Congress), the concurrent resolution on
- 12 the budget for fiscal year 2010.

Passed the House of Representatives December 21, 2017.

Attest: KAREN L. HAAS,

Clerk.

## Calendar No. 291

# 115TH CONGRESS H. R. 4667

### AN ACT

Making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, and for other purposes.

January 4, 2018

Read the second time and placed on the calendar