

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATIONS AS MEMBER OF COMMITTEES ON ARMED SERVICES AND AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committees on Armed Services and Agriculture:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Appropriations, I hereby resign my seat on both the Armed Services Committee and the Committee on Agriculture, effective today.

Sincerely,

BILL OWENS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 11, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to rejoin the Judiciary Committee, I hereby take a leave of absence with seniority retained from the Financial Services Committee, effective today. Thank you for your time and attention in this matter.

Sincerely,

LUIS V. GUTIERREZ,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Transportation and Infrastructure, I hereby resign my seat on the Homeland Security Committee, effective today.

Sincerely,

JANICE HAHN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Financial Services, I hereby resign my seat on the Budget Committee, effective today.

Sincerely,

DENNY HECK,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 5 p.m.

SANDY RECOVERY IMPROVEMENT ACT OF 2013

Mr. DENHAM. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 219) to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 219

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Sandy Recovery Improvement Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Public assistance program alternative procedures.
- Sec. 3. Federal assistance to individuals and households.
- Sec. 4. Hazard mitigation.
- Sec. 5. Dispute resolution pilot program.
- Sec. 6. Unified Federal review.
- Sec. 7. Simplified procedures.
- Sec. 8. Essential assistance.
- Sec. 9. Individual assistance factors.
- Sec. 10. Tribal requests for a major disaster or emergency declaration under the Stafford Act.
- Sec. 11. Recommendations for reducing costs of future disasters.

SEC. 2. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE PROCEDURES.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) by redesignating the second section 425 (relating to essential service providers) as section 427; and

(2) by adding at the end the following:

“SEC. 428. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE PROCEDURES.

“(a) **APPROVAL OF PROJECTS.**—The President, acting through the Administrator of

the Federal Emergency Management Agency, may approve projects under the alternative procedures adopted under this section for any major disaster or emergency declared on or after the date of enactment of this section. The Administrator may also apply the alternate procedures adopted under this section to a major disaster or emergency declared before enactment of this Act for which construction has not begun as of the date of enactment of this Act.

“(b) **ADOPTION.**—The Administrator, in coordination with States, tribal and local governments, and owners or operators of private nonprofit facilities, may adopt alternative procedures to administer assistance provided under sections 403(a)(3)(A), 406, 407, and 502(a)(5).

“(c) **GOALS OF PROCEDURES.**—The alternative procedures adopted under subsection (a) shall further the goals of—

“(1) reducing the costs to the Federal Government of providing such assistance;

“(2) increasing flexibility in the administration of such assistance;

“(3) expediting the provision of such assistance to a State, tribal or local government, or owner or operator of a private nonprofit facility; and

“(4) providing financial incentives and disincentives for a State, tribal or local government, or owner or operator of a private nonprofit facility for the timely and cost-effective completion of projects with such assistance.

“(d) **PARTICIPATION.**—Participation in the alternative procedures adopted under this section shall be at the election of a State, tribal or local government, or owner or operator of a private nonprofit facility consistent with procedures determined by the Administrator.

“(e) **MINIMUM PROCEDURES.**—The alternative procedures adopted under this section shall include the following:

“(1) For repair, restoration, and replacement of damaged facilities under section 406—

“(A) making grants on the basis of fixed estimates, if the State, tribal or local government, or owner or operator of the private nonprofit facility agrees to be responsible for any actual costs that exceed the estimate;

“(B) providing an option for a State, tribal or local government, or owner or operator of a private nonprofit facility to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of—

“(i) the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State, tribal or local government or owner or operator of a private nonprofit facility; and

“(ii) management expenses;

“(C) consolidating, to the extent determined appropriate by the Administrator, the facilities of a State, tribal or local government, or owner or operator of a private nonprofit facility as a single project based upon the estimates adopted under the procedures;

“(D) if the actual costs of a project completed under the procedures are less than the estimated costs thereof, the Administrator may permit a grantee or subgrantee to use all or part of the excess funds for—

“(i) cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster; and

“(ii) other activities to improve future Public Assistance operations or planning;

“(E) in determining eligible costs under section 406, the Administrator shall make available, at an applicant’s request and

where the Administrator or the certified cost estimate prepared by the applicant's professionally licensed engineers has estimated an eligible Federal share for a project of at least \$5,000,000, an independent expert panel to validate the estimated eligible cost consistent with applicable regulations and policies implementing this section; and

“(F) in determining eligible costs under section 406, the Administrator shall, at the applicant's request, consider properly conducted and certified cost estimates prepared by professionally licensed engineers (mutually agreed upon by the Administrator and the applicant), to the extent that such estimates comply with applicable regulations, policy, and guidance.

“(2) For debris removal under sections 403(a)(3)(A), 407, and 502(a)(5)—

“(A) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost-effective completion if the State, tribal or local government, or owner or operator of the private nonprofit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

“(B) using a sliding scale for determining the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;

“(C) allowing use of program income from recycled debris without offset to the grant amount;

“(D) reimbursing base and overtime wages for employees and extra hires of a State, tribal or local government, or owner or operator of a private nonprofit facility performing or administering debris and wreckage removal;

“(E) providing incentives to a State or tribal or local government to have a debris management plan approved by the Administrator and have pre-qualified 1 or more debris and wreckage removal contractors before the date of declaration of the major disaster; and

“(F) if the actual costs of projects under subparagraph (A) are less than the estimated costs of the project, the Administrator may permit a grantee or subgrantee to use all or part of the excess funds for—

“(i) debris management planning;

“(ii) acquisition of debris management equipment for current or future use; and

“(iii) other activities to improve future debris removal operations, as determined by the Administrator.

“(f) **WAIVER AUTHORITY.**—Until such time as the Administrator promulgates regulations to implement this section, the Administrator may—

“(1) waive notice and comment rule-making, if the Administrator determines the waiver is necessary to expeditiously implement this section; and

“(2) carry out the alternative procedures under this section as a pilot program.

“(g) **OVERTIME PAYMENTS.**—The guidelines for reimbursement for costs under subsection (e)(2)(D) shall ensure that no State or local government is denied reimbursement for overtime payments that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(h) **REPORT.**—

“(1) **IN GENERAL.**—Not earlier than 3 years, and not later than 5 years, after the date of enactment of this section, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the alternative procedures for the repair, restoration, and replacement of damaged facilities

under section 406 authorized under this section.

“(2) **CONTENTS.**—The report shall contain an assessment of the effectiveness of the alternative procedures, including—

“(A) whether the alternative procedures helped to improve the general speed of disaster recovery;

“(B) the accuracy of the estimates relied upon;

“(C) whether the financial incentives and disincentives were effective;

“(D) whether the alternative procedures were cost effective;

“(E) whether the independent expert panel described in subsection (e)(1)(E) was effective; and

“(F) recommendations for whether the alternative procedures should be continued and any recommendations for changes to the alternative procedures.”.

SEC. 3. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)) is amended—

(1) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(2) by inserting after clause (i) the following:

“(ii) **LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.**—

“(I) **IN GENERAL.**—The President, to the extent the President determines it would be a cost-effective alternative to other temporary housing options, may—

“(aa) enter into lease agreements with owners of multifamily rental property located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and

“(bb) make repairs or improvements to properties under such lease agreements, to the extent necessary to serve as safe and adequate temporary housing.

“(II) **IMPROVEMENTS OR REPAIRS.**—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs—

“(aa) shall be deducted from the value of the lease agreement; and

“(bb) may not exceed the value of the lease agreement.”; and

(3) in clause (iv) (as so redesignated) by striking “clause (ii)” and inserting “clause (iii)”.

SEC. 4. HAZARD MITIGATION.

(a) **STREAMLINED PROCEDURES; ADVANCE ASSISTANCE.**—Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

“(d) **STREAMLINED PROCEDURES.**—

“(1) **IN GENERAL.**—For the purpose of providing assistance under this section, the President shall ensure that—

“(A) adequate resources are devoted to ensure that applicable environmental reviews under the National Environmental Policy Act of 1969 and historic preservation reviews under the National Historic Preservation Act are completed on an expeditious basis; and

“(B) the shortest existing applicable process under the National Environmental Policy Act of 1969 and the National Historic Preservation Act is utilized.

“(2) **AUTHORITY FOR OTHER EXPEDITED PROCEDURES.**—The President may utilize expedited procedures in addition to those required under paragraph (1) for the purpose of providing assistance under this section, such as procedures under the Prototype Programmatic Agreement of the Federal Emergency Management Agency, for the consider-

ation of multiple structures as a group and for an analysis of the cost-effectiveness and fulfillment of cost-share requirements for proposed hazard mitigation measures.

“(e) **ADVANCE ASSISTANCE.**—The President may provide not more than 25 percent of the amount of the estimated cost of hazard mitigation measures to a State grantee eligible for a grant under this section before eligible costs are incurred.”.

(b) **ESTABLISHMENT OF CRITERIA RELATING TO ADMINISTRATION OF HAZARD MITIGATION ASSISTANCE BY STATES.**—Section 404(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(c)(2)) is amended by inserting after “applications submitted under paragraph (1).” the following: “Until such time as the Administrator promulgates regulations to implement this paragraph, the Administrator may waive notice and comment rule-making, if the Administrator determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program.”.

(c) **APPLICABILITY.**—The authority under the amendments made by this section shall apply to—

(1) any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after the date of enactment of this Act; and

(2) a major disaster or emergency declared under that Act before the date of enactment of this Act for which the period for processing requests for assistance has not ended as of the date of enactment of this Act.

SEC. 5. DISPUTE RESOLUTION PILOT PROGRAM.

(a) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal emergency Management Agency.

(2) **ELIGIBLE ASSISTANCE.**—The term “eligible assistance” means assistance—

(A) under section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173);

(B) for which the legitimate amount in dispute is not less than \$1,000,000, which sum the Administrator shall adjust annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor;

(C) for which the applicant has a non-Federal share; and

(D) for which the applicant has received a decision on a first appeal.

(b) **PROCEDURES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this section, and in order to facilitate an efficient recovery from major disasters, the Administrator shall establish procedures under which an applicant may request the use of alternative dispute resolution, including arbitration by an independent review panel, to resolve disputes relating to eligible assistance.

(2) **BINDING EFFECT.**—A decision by an independent review panel under this section shall be binding upon the parties to the dispute.

(3) **CONSIDERATIONS.**—The procedures established under this section shall—

(A) allow a party of a dispute relating to eligible assistance to request an independent review panel for the review;

(B) require a party requesting an independent review panel as described in subparagraph (A) to agree to forgo rights to any further appeal of the dispute relating to any eligible assistance;

(C) require that the sponsor of an independent review panel for any alternative dispute resolution under this section be—

(i) an individual or entity unaffiliated with the dispute (which may include a Federal

agency, an administrative law judge, or a re-employed annuitant who was an employee of the Federal Government) selected by the Administrator; and

(ii) responsible for identifying and maintaining an adequate number of independent experts qualified to review and resolve disputes under this section;

(D) require an independent review panel to—

(i) resolve any remaining disputed issue in accordance with all applicable laws, regulations, and Agency interpretations of those laws through its published policies and guidance;

(ii) consider only evidence contained in the administrative record, as it existed at the time at which the Agency made its initial decision;

(iii) only set aside a decision of the Agency found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; and

(iv) in the case of a finding of material fact adverse to the claimant made on first appeal, only set aside or reverse such finding if the finding is clearly erroneous.

(E) require an independent review panel to expeditiously issue a written decision for any alternative dispute resolution under this section; and

(F) direct that if an independent review panel for any alternative dispute resolution under this section determines that the basis upon which a party submits a request for alternative dispute resolution is frivolous, the independent review panel shall direct the party to pay the reasonable costs to the Federal Emergency Management Agency relating to the review by the independent review panel. Any funds received by the Federal Emergency Management Agency under the authority of this section shall be deposited to the credit of the appropriation or appropriations available for the eligible assistance in dispute on the date on which the funds are received.

(C) SUNSET.—A request for review by an independent review panel under this section may not be made after December 31, 2015.

(d) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the termination of authority under this section under subsection (c), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report analyzing the effectiveness of the program under this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) a determination of the availability of data required to complete the report;

(B) an assessment of the effectiveness of the program under this section, including an assessment of whether the program expedited or delayed the disaster recovery process;

(C) an assessment of whether the program increased or decreased costs to administer section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(D) an assessment of the procedures and safeguards that the independent review panels established to ensure objectivity and accuracy, and the extent to which they followed those procedures and safeguards;

(E) a recommendation as to whether any aspect of the program under this section should be made a permanent authority; and

(F) recommendations for any modifications to the authority or the administration of the authority under this section in order to improve the disaster recovery process.

SEC. 6. UNIFIED FEDERAL REVIEW.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended by this Act) is further amended by adding at the end the following:

“SEC. 429. UNIFIED FEDERAL REVIEW.

“(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, and in consultation with the Council on Environmental Quality and the Advisory Council on Historic Preservation, the President shall establish an expedited and unified interagency review process to ensure compliance with environmental and historic requirements under Federal law relating to disaster recovery projects, in order to expedite the recovery process, consistent with applicable law.

“(b) CONTENTS.—The review process established under this section shall include mechanisms to expeditiously address delays that may occur during the recovery from a major disaster and be updated, as appropriate, consistent with applicable law.”

SEC. 7. SIMPLIFIED PROCEDURES.

Section 422 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189) is amended—

(1) by striking “If the Federal estimate” and inserting “(a) IN GENERAL.—If the Federal estimate”;

(2) by inserting “(or, if the Administrator has established a threshold under subsection (b), the amount established under subsection (b))” after “\$35,000” the first place it appears;

(3) by inserting “or, if applicable, the amount established under subsection (b),” after “\$35,000 amount” the second place it appears; and

(4) by adding at the end the following:

“(b) THRESHOLD.—

“(1) REPORT.—Not later than 1 year after the date of enactment of this subsection, the President, acting through the Administrator of the Federal Emergency Management Agency (in this section referred to as the ‘Administrator’), shall—

“(A) complete an analysis to determine whether an increase in the threshold for eligibility under subsection (a) is appropriate, which shall include consideration of cost-effectiveness, speed of recovery, capacity of grantees, past performance, and accountability measures; and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the analysis conducted under subparagraph (A).

“(2) AMOUNT.—After the Administrator submits the report required under paragraph (1), the President shall direct the Administrator to—

“(A) immediately establish a threshold for eligibility under this section in an appropriate amount, without regard to chapter 5 of title 5, United States Code; and

“(B) adjust the threshold annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor.

“(3) REVIEW.—Not later than 3 years after the date on which the Administrator establishes a threshold under paragraph (2), and every 3 years thereafter, the President, acting through the Administrator, shall review the threshold for eligibility under this section.”

SEC. 8. ESSENTIAL ASSISTANCE.

(a) OTHER NEEDS ASSISTANCE.—Section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)) is amended—

(1) in the paragraph heading by inserting “CHILD CARE,” after “DENTAL,”; and

(2) by inserting “child care,” after “dental.”

(b) SALARIES AND BENEFITS.—Section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b) is amended by adding at the end the following:

“(d) SALARIES AND BENEFITS.—

“(1) IN GENERAL.—If the President declares a major disaster or emergency for an area within the jurisdiction of a State, tribal, or local government, the President may reimburse the State, tribal, or local government for costs relating to—

“(A) basic pay and benefits for permanent employees of the State, tribal, or local government conducting emergency protective measures under this section, if—

“(i) the work is not typically performed by the employees; and

“(ii) the type of work may otherwise be carried out by contract or agreement with private organizations, firms, or individuals.; or

“(B) overtime and hazardous duty compensation for permanent employees of the State, tribal, or local government conducting emergency protective measures under this section.

“(2) OVERTIME.—The guidelines for reimbursement for costs under paragraph (1) shall ensure that no State, tribal, or local government is denied reimbursement for overtime payments that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(3) NO EFFECT ON MUTUAL AID PACTS.—Nothing in this subsection shall affect the ability of the President to reimburse labor force expenses provided pursuant to an authorized mutual aid pact.”

SEC. 9. INDIVIDUAL ASSISTANCE FACTORS.

In order to provide more objective criteria for evaluating the need for assistance to individuals, to clarify the threshold for eligibility and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in cooperation with representatives of State, tribal, and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48 of title 44, Code of Federal Regulations (including section 206.48(b)(2) of such title relating to trauma and the specific conditions or losses that contribute to trauma), to measure the severity, magnitude, and impact of a disaster.

SEC. 10. TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT.

(a) MAJOR DISASTER REQUESTS.—Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended—

(1) by striking “All requests for a declaration” and inserting “(a) IN GENERAL.—All requests for a declaration”; and

(2) by adding at the end the following:

“(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

“(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor

of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

“(C) COST SHARE ADJUSTMENTS FOR INDIAN TRIBAL GOVERNMENTS.—

“(1) IN GENERAL.—In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if—

“(A) the President has the authority to waive or adjust the payment under another provision of this title; and

“(B) the President determines that the waiver or adjustment is necessary and appropriate.

“(2) CRITERIA FOR MAKING DETERMINATIONS.—The President shall establish criteria for making determinations under paragraph (1)(B).”

(b) EMERGENCY REQUESTS.—Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:

“(C) INDIAN TRIBAL GOVERNMENT REQUESTS.—

“(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.”

(c) DEFINITIONS.—Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (7)(B) by striking “; and” and inserting “, that is not an Indian tribal government as defined in paragraph (6); and”;

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

“(6) INDIAN TRIBAL GOVERNMENT.—The term ‘Indian tribal government’ means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.); and

(4) by adding at the end the following:

“(12) CHIEF EXECUTIVE.—The term ‘Chief Executive’ means the person who is the Chief, Chairman, Governor, President, or similar executive official of an Indian tribal government.”

(d) REFERENCES.—Title I of the Robert T. Stafford Disaster Relief and Emergency As-

sistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following: “SEC. 103. REFERENCES.

“Except as otherwise specifically provided, any reference in this Act to ‘State and local’, ‘State or local’, ‘State, and local’, ‘State, or local’, or ‘State, local’ (including plurals) with respect to governments or officials and any reference to a ‘local government’ in sections 406(d)(3) and 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.”

(e) REGULATIONS.—

(1) ISSUANCE.—The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS.—In issuing the regulations, the President shall consider the unique conditions that affect the general welfare of Indian tribal governments.

SEC. 11. RECOMMENDATIONS FOR REDUCING COSTS OF FUTURE DISASTERS.

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress recommendations for the development of a national strategy for reducing future costs, loss of life, and injuries associated with extreme disaster events in vulnerable areas of the United States.

(b) NATIONAL STRATEGY.—The national strategy should—

(1) respect the constitutional role and responsibilities of Federal, State, and local governments and the private sector;

(2) consider the vulnerability of the United States to damage from flooding, severe weather events, and other hazards;

(3) analyze gaps and duplication of emergency preparedness, response, recovery, and mitigation measures provided by Federal, State, and local entities; and

(4) include recommendations on how to improve the resiliency of local communities and States for the purpose of lowering future costs of disaster response and recovery.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 219.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENHAM. Madam Speaker, I yield myself such time as I may consume.

I want to thank Chairman SHUSTER of the Committee on Transportation and Infrastructure for his leadership on this legislation. His knowledge and years of experience on these issues have been critical to crafting this legislation and bringing it before the House for consideration today. I also want to thank Ranking Member NORTON, Ranking Member RAHALL, and former Chairman MICA for all of their work and support for these reforms.

H.R. 219, the Sandy Recovery Improvement Act of 2013, will save money

and help devastated communities rebuild much faster than under current programs. However, in order to help those communities impacted by Sandy, the FEMA Administrator has made it very clear that these reforms must be signed into law by March 1. Many of these reforms were already passed by the House in September as part of H.R. 2903. There is also widespread and bipartisan support for these reforms in the Senate. In addition, this bill has strong support from key stakeholders and experts, representing emergency managers, State and local officials, and tribal communities. We know these reforms work. Chairman SHUSTER laid the groundwork in 2006 when his post-Katrina reform act authorized FEMA to conduct a number of recovery pilot programs.

The results are very clear.

In each case, costs were dramatically reduced, projects were completed faster, and their process was much more efficient. For example, without making permanent the debris removal pilot program the taxpayer could end up paying six times the cost for debris removal, and it will take much longer. The individuals and households pilot program incorporated in this bill would reduce costs by a similar amount and make temporary housing available faster.

In hearing after hearing before our committee, experts, FEMA, and the Office of the Inspector General have all testified communities will be rebuilt faster and taxpayers will save hundreds of millions of dollars with this bill. We know the current process is broken, and we finally know how to fix it, but we have to change the law by March or it will be too late to apply those lessons to the Sandy recovery. It has been nearly 8 years since Hurricane Katrina, and there are still projects that are unresolved. We don’t want to have the same mistakes happen with Hurricane Sandy. These reforms will help address those programs, streamline the process, allow communities to rebuild faster and smarter, and save money.

The provisions of H.R. 219 are proven and commonsense reforms that have bipartisan support. I urge my colleagues to support the passage of H.R. 219.

I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

I want to thank Mr. SHUSTER, Mr. RAHALL, and my good friend Mr. DENHAM for their very important work to bring this matter to the floor so soon after the recess. I’m sure everyone appreciates it, and I certainly associate myself with the remarks of Mr. DENHAM. He and I worked on the very passages he quoted.

I, therefore, rise in support of H.R. 219, the Sandy Recovery Improvement Act of 2013. This bipartisan measure consists of reforms to expedite the recovery process for those communities that received disaster declarations for

Hurricane Sandy as well as for future Presidentially declared disasters. I do believe this may be the first time that some of these reforms with any significant event have been tested because many of the provisions included in the bill are matters that we have long worked for and that were incorporated into similar legislation in past Congresses. Several of the provisions will streamline the rebuilding process to provide jobs in the region and to achieve full recovery. The measure is also supported by the International Association of Emergency Managers, the Association of State Floodplain Managers, the National League of Cities, and more.

After Hurricanes Katrina and Rita, Congress enacted two pilot programs: one for debris removal and another allowing FEMA to make limited repairs instead of lease payments to provide housing when cheaper than using temporary trailers. Both pilot programs were successful and resulted in savings for the Federal Government. Local governments and emergency management professionals have discussed the need to make the debris removal program permanent in order to expedite debris recovery. The housing program will be especially useful in large urban areas, such as in New York City, where temporary trailers simply are not an option. This bill would codify both expired pilot programs, providing additional tools for FEMA to help communities recover.

This measure would also authorize FEMA to use fixed grants based on cost estimates at the request of the local community—another favorite we have been pressing for years. Although Congress authorized FEMA to use cost estimating 12 years ago, which is the way the insurance industry does it, for example, FEMA has not done so. The new authorization includes incentives for the local communities to use cost estimating by allowing them to rebuild according to today's needs and by eliminating long delays in the recovery process caused by cost disputes. Moreover, this provision explicitly authorizes FEMA and the applicant to mutually agree on a professionally licensed expert to prepare a cost estimate to be relied upon by FEMA instead of using an adversarial process in which both hire their own cost estimators, paid for by the Federal Government, and then get into a dispute as to which one is the best to use. This process alone will eliminate one of the most inefficient uses of Federal funds I have ever heard of in which FEMA pays for the State's experts to submit competing estimates of the costs of repair to the government's experts. No more of that. No more waste from that.

Finally, the Transportation and Infrastructure Committee held an oversight hearing last month on the preparedness, response to, and recovery from Hurricane Sandy. At that hearing, I questioned FEMA Administrator Fugate about the need to expedite the

dispute resolution process. I am pleased to state that this bill includes a 3-year dispute resolution pilot program for FEMA to draft procedures in order to expedite project closure and to decrease recovery costs caused by project delays.

Madam Speaker, I strongly urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

□ 1710

Mr. DENHAM. Madam Speaker, I wish to yield 5 minutes to the gentleman from Pennsylvania, the new chairman of the Transportation and Infrastructure Committee, Mr. SHUSTER.

Mr. SHUSTER. Madam Speaker, I thank the gentleman from California (Mr. DENHAM) for his leadership and for sponsoring this important legislation.

We are proud to have strong bipartisan support. Thanks go to Member RAHALL and Ms. HOLMES NORTON for her support on this and working closely with us. In fact, the gentlelady from Washington, D.C., and I worked very closely 8 years ago on many of these reforms that we're going to expand from pilot projects.

I would also like to acknowledge my predecessor and friend, our former chairman, Mr. MICA, who's been a leader on these issues, and also to thank Mr. PALAZZO from Mississippi, who offered important suggestions to improve this legislation.

I'm proud to be a cosponsor. These bipartisan Federal Emergency Management Agency and disaster recovery improvements will speed up and streamline Hurricane Sandy recovery efforts. And they will also, importantly, reduce costs.

We worked to target improvements that will specifically help communities in the immediate aftermath of Sandy. These are critical, bipartisan reforms supported by FEMA and key experts and stakeholders. We understand from FEMA Administrator Fugate that these reforms must be enacted by March 1 to help the recovery from Hurricane Sandy.

I have worked on these issues since serving as chairman of the Subcommittee on Emergency Management, as I mentioned, with the gentlelady from Washington, 8 years ago. At that time, I witnessed the devastation following Hurricane Katrina. We saw how our emergency management capability broke down, and significant reforms were needed. We crafted legislation to put FEMA back together again within the Department of Homeland Security, reformed and strengthened our response capability and created pilot programs to test out innovative ways to improve our recovery process.

While we have made significant improvements in disaster preparedness and response since Katrina, there is so much red tape in the recovery programs that rebuilding takes several years longer than it should. The longer communities take to rebuild, the high-

er the economic losses to those communities and the more it costs the taxpayers.

The pilot programs we created after Katrina laid the foundation for many of these reforms. From the debris removal and public assistance pilot program to the individual and household pilot programs, the savings were significant, and in some cases up to six times less expensive. And these pilot programs did not just save money, but they actually got things done faster.

The Sandy Recovery Improvement Act builds on the important work we started after Hurricane Katrina. Specifically, the Sandy Recovery Improvement Act will: streamline environmental review procedures; allow greater flexibility to reduce rebuilding time and lower costs; reduce debris removal costs; provide flexibility and less expensive housing costs; and call for recommendations for reducing costs for future disasters.

As the chairman of the Transportation and Infrastructure Committee, I look forward to working on a FEMA reauthorization bill in the future and moving other important FEMA reforms later in Congress.

However, today I know FEMA needs these reforms, and so I urge all my colleagues to support this in order for us to save hundreds of millions of dollars in Sandy recovery.

Ms. NORTON. First, let me say I appreciate the gentleman's remarks and comparing what we are going through here to what we all went through. He and I were both on the committee after Hurricane Katrina. I can tell you, we never expected to see anything like it, particularly in this part of the country. I certainly agree that this is the time to finally get these reforms done. This is the time to get it done, when we've got a huge Katrina-like event and we've got everybody's attention and we're going to save millions upon millions of dollars. I thank the gentleman.

I'm pleased to yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Speaker, I thank my friend from the District, and I commend the work of my colleagues on this bill. It has some good features and should help smooth the way for recovery from Hurricane Sandy.

The delay in getting this bill and, more importantly, the delay in getting the supplemental appropriations bill for Hurricane Sandy to the floor has only compounded problems for Sandy's victims in New Jersey and elsewhere. And I wish that this bill had included language removing a real impediment faced by our towns.

I'm told that the appropriators, in the legislation coming to the floor tomorrow, are showing unusual respect for House rules and won't use their supplemental appropriations bill to change legislation but only to appropriate funds, so that the standard 65/35 Army Corps of Engineers formula will

not be changed. In other words, towns must put up 35 percent of the project cost for the Corps of Engineers to make the repairs that they would make. The construction costs are high. Many towns in my State will not be able to come up with the 35 percent cost share match for a multimillion dollar construction project. But the appropriators aren't authorizers, they say. Well, what we have before us now is coming from the authorizing committee. They could have fixed this, and I wish this bill had been brought up in such a way that we could fix this match, as the President had asked in his request for the emergency funds.

This bill should streamline the process, but we should have a 90/10 match so that these towns that are strapped for funds because of the damage of Hurricane Sandy and because they've exceeded their borrowing limits would be able to come up with a smaller amount of money so that the construction by the Corps of Engineers could get underway.

I'm happy to see this streamlined process that will get aid to individuals and municipalities in the wake of future storms like Hurricane Sandy. I wish that we could have used this opportunity to fix the 65/35 match and make it a 90/10 match, as the President had requested. That certainly would have helped the towns in New Jersey and Connecticut and New York.

I thank the gentlelady for yielding me the time.

Mr. DENHAM. Madam Speaker, I would just remind the gentleman from New Jersey that this bill was passed in September by this House and has been sitting in the Senate since September. Even though the President's own appointee, Director Fugate, has been asking for this bill, it has been sitting. So we're looking forward to a bipartisan solution that gets done before March so we can actually help out the Sandy relief fund.

I would just like to point to a couple quick facts. The New Orleans Youth Study Center project, as an example, as you'll see from this chart, Katrina was in 2005. Here's what the Governor's office has put together. This one project isn't going to be done until 2016. After 182 meetings and 7 years of bureaucratic red tape, this one project won't be done until 2016; and that's if all goes well, that's when Louisiana hopes to finish this. That's 11 years after Hurricane Katrina. The single biggest factor in cost increases is time, and these delays will almost double the project from \$15 million to \$28 million. FEMA has spent almost \$5 million on a temporary facility alone.

There are literally thousands of projects like this across the gulf coast, and there will be thousands more of budget-busting projects in New York and New Jersey if we don't get these reforms signed into law.

At this time, Madam Speaker, I'd like to yield 3 minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Madam Speaker, I rise today in support of the Sandy Recovery Improvement Act of 2013. I want to thank Chairman SHUSTER, Congressman DENHAM, and the entire Transportation and Infrastructure Committee for their work to bring this very important piece of disaster relief reform legislation to the floor this week.

Last Tuesday, I had the opportunity to travel to the hardest hit areas of New York and New Jersey to see firsthand the damage caused by Hurricane Sandy. It immediately reminded me of the devastation we in Mississippi experienced after Hurricane Katrina just 7 years ago. When you look at the response to hurricanes such as Sandy and Katrina and other superstorms that have hit in recent years, there is no doubt in my mind that we have a broken system.

Last week, I took a vote against propping up a bankrupt and broken system without any serious reforms, and today, I proudly stand before this body to advocate for some commonsense reforms on how we administer disaster relief.

The Sandy Recovery Improvement Act of 2013 scheduled for consideration today is the first step in a much longer process of reforming our disaster relief system. Improving resiliency, increasing mitigation efforts, and changing the way we pay for disaster relief will be key to this discussion.

I'm especially grateful for the committee's work in adding my language to this bill which will require FEMA to develop recommendations to Congress for a national strategy to reduce future costs and loss of life associated with these extreme weather events. Make no mistake, the Northeast needs our help now in ensuring the victims of Sandy receive the relief they so desperately require and need, and I want to encourage my colleagues to join me in support of both today's bill and the remaining Sandy relief measures we will take up this week. But I also believe there's no better time to address the very real needs of our broken disaster relief system. We must not only build back, we must build forward. That's why I'm proud to support this legislation to improve and streamline disaster relief in our country.

□ 1720

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

I just want to say that I'm pleased to see that the gentleman from Mississippi has done what we have always done when any part of our country faced a disaster, we all closed in, and we really closed in like nothing you've ever seen with Mississippi and Louisiana, and nobody from the east coast rose to have any problem with moving in.

The reforms this bill now contains, the reforms of Chairman DENHAM and me, and before Chairman DENHAM came to the Congress, reforms that had been

in our bill for some time; and it is true that these have not come out, and we have got a lever now to get them out. And when we get them out, they're going to help Mississippi and Louisiana, and they have more of this than the east coast has ever had. And it's going to help all the unforeseen places that now we are seeing experience precisely what only certain parts of the country before had had to endure.

I'm pleased to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank very much the gentlelady from the District of Columbia for her clarification; and I, frankly, thank you for having the wisdom in months and years back to have these corrections and these improvements in FEMA, and I know they welcome it.

I am a senior member of the Homeland Security Committee and served as the ranking member on Transportation Security, but know firsthand, as the committee that shares jurisdiction over FEMA, firsthand, in living color, the catastrophe and tragedy of Hurricane Katrina; both in my visits and almost living in New Orleans, as many of our Members did, and then in welcoming over a quarter of a million-plus of New Orleanians into Houston, Texas, being there inside the Astrodome, and seeing eons and eons and layers of beds of people who are Americans and who were Americans who, one could not call them broken, those survivors, if you will, from Hurricane Katrina were not broken. They were people who had worked and had homes and paid taxes.

And so today, Madam Speaker, those who are survivors of Hurricane Sandy are not broken. They are not the cornerstone of the fault of bureaucracy or misuse. They are, in fact, survivors. They are Americans who need our help.

And I'd like to add to this discussion, certainly. I join and want to comment on one or two of the changes here. In particular, the individual assistance factors, I think, will be very helpful to expedite the declaration process for individuals.

I'm very grateful that one of the changes they made, thank goodness, and this is what happened to our seniors, fixing their homes instead of putting them in FEMA trailers. What a celebration.

How many had to stay in FEMA trailers down in the gulf forever and ever and ever while they watched their homes deteriorate because a few simple repairs could not be made. That is a much-needed step.

But I join my colleague from New Jersey and say, how can people who are broken and who are in need come up with 35 percent? And I hope that this will be one that is reconsidered.

Let me quickly suggest that I am in support of the \$5.4 billion for FEMA disaster relief. I'm in support for the \$5.4 billion for the Department of Transportation. Anybody who's been on the east coast and seen the transportation corridor and the congestion

and the synergism between New Jersey and Pennsylvania, Connecticut and New York realizes that this is crucial.

The \$3.9 billion for community block grant, I am told that there are Hurricane Sandy islanders, people on Staten Island, people on Coney Island, who are living in New York downtown hotels. I'm sure in a better day they would enjoy living in high-rise, high-class hotels; but they are people that want to go back to their home, and I'm delighted that we'll have that.

And then I want to support the additional amendment that calls for, the gentleman from New Jersey, \$33 billion unfettered dollars that will help additional resources.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. NORTON. I yield the gentlewoman 30 more seconds.

Ms. JACKSON LEE. I believe that we should have done this last week. But I know that my colleagues will be reading the Constitution tomorrow, so let me read from article I, section 8:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

My God, my God, can we provide for the general welfare of those Hurricane Sandy survivors who are not victims but have lost loved ones and, in fact, are the second most-costly hurricane in America's history, Katrina, Sandy, and Hurricane Ike.

I speak from what I know. I beg of this Congress to vote for the New Jersey amendment for \$33 billion and, as well, the others; and let us be able to look back on their needs and go back to the table to help them if they are in need. The Constitution asks us to do that.

Madam Speaker, I rise today to support H.R. 219, "the Sandy Recovery Improvement Act of 2013," this bill is designed to speed up disaster relief granted through the Federal Emergency Management Agency (FEMA) it amends Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to Expedite hazard mitigation projects by streamlining the environmental review and requires the President to establish an expedited review for environmental and historic requirements for rebuilding damage infrastructure. Further, the Sandy Recovery Improvement Act will give local governments' greater flexibility to consolidate or rebuild facilities by allowing FEMA to issue fixed price grants on the basis of damaged estimates instead of a traditional entitlement guarantee to cover all cost increases over time.

Last month, the Administration requested \$60.4 billion in federal aid to provide financial assistance to homeowners and businesses affected by Hurricane Sandy.

In the 112th Congress, on December 28, 2012, the Senate passed a \$61 billion comprehensive aid package for the victims and communities by a vote of 62–32.

I am pleased that this body was able to pass H.R. 41, \$9.7 billion bill which temporarily increased the borrowing authority of the Federal Emergency Management Agency

(FEMA) for carrying out the National Flood Insurance Program.

Now that the President has signed H.R. 41, victims of Superstorm Sandy are finally able to receive some much-needed relief from the federal government.

However, the relief that H.R. 41 granted was limited in scope and insufficient to address the entirety of the situation faced by residents of the affected areas. The House must finish the job. Again the measure before us today does not appropriate additional funds, but it does attempt to address the backlog. This bill would:

Cut debris removal costs dramatically by utilizing reforms from a successful 2006 Debris Removal Pilot program that enable operations to be conducted in a more cost-effective manner and incentivize the completion of projects on-time and under budget.

Save money, as demonstrated by a 2006 pilot program, by authorizing FEMA to make limited repairs to existing housing structures when those repairs cost less than a lease payment for traditional FEMA trailers.

Adjudicate claim disputes quicker and avoid cost overruns, the bill establishes a limited dispute resolution pilot.

Require FEMA to review and update factors for individual assistance disaster declarations to make them less subjective. Provides for disaster declarations for tribal communities.

Direct FEMA to submit recommendations to Congress for the development of national strategy to reduce future costs, loss of life, and injuries associated with extreme disaster events.

Since this historic storm devastated the east coast in late October, the people impacted by the storm, particularly those in the Tri-State area of New Jersey, New York, and Connecticut, have been waiting patiently for the federal government to act as they continue to engage in efforts to rebuild their communities.

However, the time for patience has long since expired, and these Americans can no longer wait for Congress to act to provide comprehensive relief.

For families without a home, and for businesses without a storefront or customers, this situation has been an ongoing nightmare. These families and businesses have been waiting for Congress to join them in their struggle to pick up the pieces and put their communities back together.

The proposal before us is our opportunity to step up and help to restore these suffering communities; that is the role of the federal government.

Every state in this country is, at any given moment in time, at risk for experiencing a devastating and costly natural or manmade disaster. When state and local governments face overwhelming challenges that are too big and too expensive to ever hope to resolve in isolation, the federal government should be there to quickly assist them in their recovery. That is what makes us strong as a nation; that we can come together when necessary to prevent the pieces of our country from crumbling individually.

PREVIOUS FEDERAL GOVERNMENT RESPONSES TO DISASTER RELIEF

As the Representative for the 18th District in Texas, I have firsthand experience with the massive and protracted destruction that storms like this can cause both to property and, more importantly, to the lives of citizens

who are left to rebuild their lives and restore all that they have lost.

After the initial disaster response and search and rescue phases, we must begin to rebuild, a process that calls for a long-term commitment from officials in state, local, and federal government.

We can all recall Hurricane Ike in 2008, which heavily impacted many constituents in my district. At least 74 people lost their lives in the State of Texas, with 28 in Harris County and 17 in Galveston. Over 200,000 homes in the Houston-Galveston region were left damaged or destroyed as a result of Ike.

Congress appropriated \$3 billion to Texas to help finance the infrastructure and housing recovery, which included individual and household assistance, disaster unemployment assistance, public assistance grants to state and local government and non-profit organizations to pay for debris removal, emergency protective measures and road repairs, and low-interest disaster loans provided by the Small Business Administration.

My visits to the affected areas fundamentally evidenced the need for long-term recovery and to get people back on their feet. My constituents and others in the affected areas needed and greatly appreciated the federal assistance they received, and so now that Americans in other parts of our nation need our help, we must move in a bipartisan fashion to provide it.

EXTENT OF DAMAGE CAUSED BY SANDY

As a nation, we continue to mourn the loss of at least 132 people in the United States due to Superstorm Sandy (60 in New York, 48 New York City; 34 in New Jersey; 16 in Pennsylvania, 7 in West Virginia). Many more were lost to Sandy in the Caribbean.

As devastating as Hurricane Ike was, the damage to property it caused (an estimated \$29.5 billion) the costs associated with Superstorm Sandy are expected to be significantly higher. While we do not yet know the final numbers, the total amount of property damage resulting from Superstorm Sandy exceeds \$62 billion.

In terms of dollars of property destruction, this ranks Superstorm Sandy second only to Hurricane Katrina (\$128 billion, adjusted for inflation) (note: Hurricane Ike ranks 3rd).

Most gas stations in New York City and New Jersey were closed because of power shortages and depleted fuel supplies. Long lines formed at gas stations that were expected to be open.

Food, shelter and clothing are basic necessities, and right now far too many people are without access to them during these holidays and in brutally cold weather. With more cold weather in sight, things are not going to get any easier for residents of those communities.

Economic conditions in many affected communities are stagnant; stalled because the federal government has yet to provide funding. It took 10 days for Congress to approve roughly \$50 billion in aid for Katrina, but Congress has yet to provide a comprehensive aid package for those affected by Sandy for more than two months.

CONCLUSION

We need to restore a sense of calm and stability in the lives of people affected by Superstorm Sandy. We need to ensure that small businesses in the affected areas are able to rebound as expeditiously as possible so that they can get the local economies moving again.

Mr. DENHAM. Madam Speaker, the Sandy Recovery Improvement Act will speed up recovery efforts and reduce costs. I want to just touch on one important piece of this legislation. It will allow greater flexibility to reduce rebuilding time and lower costs. This gives the local governments greater flexibility to consolidate or rebuild facilities by allowing FEMA to issue fixed grants on the basis of damage estimates, instead of a traditional reimbursement program.

Why that's important—in my area, in the Central Valley of California, we had huge flooding; and as any emergency, you're not prepared. You didn't anticipate it, especially where we have such a huge shortage of water in the Central Valley.

When the flooding hit, there was a lot of miscommunication and misunderstanding among local, State and Federal Government, who pays for what, a lot of delays and waiting. With these cost estimates up front, we basically just say spend the money on those estimates, and the FEMA money is there immediately.

So we not only help to reduce costs; but most importantly, when you've got a devastated community, what you need is speed of recovery.

I reserve the balance of my time.

Ms. NORTON. I want to agree with the chairman of the subcommittee about cost estimates and how it saves money and how it is one of the many lessons learned that I think will be acted out in this bill.

Madam Speaker, this bill is a down-payment. We all understand this. We understand that the devastation done in four States, I believe it is, was of a magnitude of what we experienced for the first time at the gulf coast.

We are going to come around, and we're going to do what we're supposed to do at times like this. But when we have a major event like this, it does not pay to simply go along doing things the way we have always done them.

This is when things get corrected. This bill is a good step toward correcting what our committee and our subcommittee have tried to do for years now. I appreciate all the effort of my friends and colleagues on the other side and, of course, Mr. RAHALL and our friends who have also, in a bipartisan fashion, pushed for these changes and now have an opportunity to see how they work in a laboratory that is a very big one indeed, one far larger than we expected, but one from which we will also learn what is yet still to be learned about these major disasters.

Madam Speaker, I have no more speakers, and I am pleased to yield back the remainder of my time.

Mr. DENHAM. Madam Speaker, just in closing, I want to talk about one final example, and it deals with the debris removal. Our bill dealing with debris removal will change, literally saving hundreds of millions of dollars.

Without the change in law, FEMA was able to get a 30-day pilot program.

This is with Sandy, had a 30-day pilot program, where in New Jersey, utilizing the pilot program, they removed debris for \$19 per cubic yard. In Long Island, using the Army Corps of Engineers, it was \$129 per yard. That is a huge significant savings, one that, in the debris removal part of this, the 30-day pilot, it's time for it to move along and become part of law. We need to do this now.

This bill has broad support from a number of different areas, including the National League of Cities, the United States Conference of Mayors, the Association of State Floodplain Managers, the International Association of Emergency Managers, the Disaster Recovery Contractors Association, the National Association of Counties, the United South and Eastern Tribes Incorporation, just to name a few.

With that, Madam Speaker, I would ask for a favorable vote, and I yield back the balance of my time.

Mr. RAHALL. Madam Speaker, I rise today in support of H.R. 219, the Sandy Recovery Improvement Act of 2013. This bipartisan bill would improve how the Federal Government helps state, tribal and local communities respond to and recover from disasters by expediting the delivery of Federal assistance. The provisions will have an immediate impact in helping to expedite recovery in those areas that suffered damage from Hurricane Sandy and will help all communities that may experience future disasters.

We must continue to improve our disaster response programs to ensure that timely assistance is provided to individuals in need. At my request, this bill would require, within one year, the Federal Emergency Management Agency (FEMA) to review and update its criteria for issuing Individual Assistance, in order to clarify the eligibility requirements, expedite the Federal government's decision-making process, and minimize bureaucratic delays.

Last year, the State of West Virginia received four Presidential disaster declarations, the last two in response to Hurricane Sandy and Derecho Storms. In both cases, West Virginians had to endure extended and widespread power outages, lasting weeks in some cases, as well as physical damage to their homes and businesses. The emotional trauma was severe with some areas were literally cut off from basic necessities like food, water, and medicine. These disasters proved costly and expensive and dwarfed the limited means of individuals, many of them seniors on fixed incomes who have been pummeled by multiple storms, to absorb uninsured costs on their own.

In both cases, FEMA denied my State's initial request for Individual Assistance, forcing the State to redo its damage assessments and appeal FEMA's decision. FEMA later reversed itself and awarded Individual Assistance to some, but not all, of the requesting West Virginia counties in regard to the Derecho Storm; so far, the appeal related to Sandy is still pending.

These delays leave uninsured disaster victims in limbo for weeks, unable to begin home repairs because they do not know what costs are reimbursable. State emergency officials need better guidance from FEMA about eligi-

bility criteria for Individual Assistance, so that these delays can be avoided. Similarly, the criteria must be flexible enough to ensure that the Individual Assistance program accomplishes what it was created to do, which is to make financial assistance for uninsured losses available to families and individuals unable to recover on their own.

Another important provision of this bill is one that recognizes tribal sovereignty by authorizing all federally recognized Indian tribes to directly request that the President declare a disaster or emergency. This provision is based on a bill, H.R. 1953, that I introduced last Congress after consulting with Indian country and Indian organizations. It would treat all federally recognized Indian tribes as the sovereign governments that they are and creates a mechanism that affords all tribes the option to request a disaster declaration when a State in which they are located fails to do so.

This important measure is necessary because current law limits FEMA's ability to work directly with all Indian tribes when major disasters or emergency situations occurred. This language would improve federal emergency response and recovery efforts on Indian reservations and would amend the Stafford Act to align with the Federal Government's trust responsibilities. For more than a decade, tribal governments have sought this authorization to work directly with FEMA on emergency and disaster declarations from the President. My bill, and this provision, is supported by Indian Country and the Administration without qualification.

I appreciate the manner in which this bipartisan bill was developed and look forward to working with my Republican colleagues on other issues in a similar manner.

I urge my colleagues to support this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 219.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. NORTON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 6 o'clock and 30 minutes p.m.