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115TH CONGRESS
2^D 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:

TITLE I

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

1
2
3
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

1 the crop incurring the losses or did not file the required
2 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
5 shall not exceed 65 percent of the loss as determined by
6 the Secretary: *Provided further*, That producers receiving
7 payments under this heading, as determined by the Sec-
8 retary, shall be required to purchase crop insurance where
9 crop insurance is available for the next two available crop
10 years, and producers receiving payments under this head-
11 ing shall be required to purchase coverage under NAP
12 where crop insurance is not available in the next two avail-
13 able crop years, as determined by the Secretary: *Provided*
14 *further*, That, not later than 90 days after the end of fiscal
15 year 2018, the Secretary shall submit a report to the Con-
16 gress specifying the type, amount, and method of such as-
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
22 producers, in higher levels of coverage in future years for
23 crops qualifying for assistance under this heading: *Pro-*
24 *vided further*, That such amount is designated by the Con-
25 gress 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

24 For an additional amount for the “Emergency Con-
25 servation Program” for necessary expenses related to the

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

24 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.

13 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 funds 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 ccurring 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

20 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

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

3 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

4 For an additional amount for “Operation and Main-
5 tenance, Army National Guard”, \$55,471,000, to remain
6 available until September 30, 2018, for necessary expenses
7 related to the consequences of Hurricanes Harvey, Irma
8 or Maria: *Provided*, That such amount is designated by
9 the Congress as being for an emergency requirement pur-
10 suant to section 251(b)(2)(A)(i) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 PROCUREMENT

13 OTHER PROCUREMENT, NAVY

14 For an additional amount for “Other Procurement,
15 Navy” \$18,000,000, to remain available until September
16 30, 2020, for necessary expenses related to the con-
17 sequences of Hurricanes Harvey, Irma or Maria: *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.

22 REVOLVING AND MANAGEMENT FUNDS

23 DEFENSE WORKING CAPITAL FUNDS

24 For an additional amount for “Defense Working
25 Capital Funds” for the Navy Working Capital Fund,

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

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

1 representatives 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

1 of projects for flood and storm damage reduction, includ-
2 ing 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
5 in areas that suffered the most damage from these hurri-
6 canes and to projects located in areas that have had mul-
7 tiple major disaster declarations in recent years: *Provided*
8 *further*, That funding utilized for authorized shore protec-
9 tion projects shall restore such projects from the design
10 level of protection to the full project profile at full Federal
11 expense: *Provided further*, That the completion of ongoing
12 construction projects receiving funds provided under this
13 heading shall be at full Federal expense with respect to
14 such funds: *Provided further*, That upon approval of the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate funds provided under this heading
17 may be used to construct any project studied using funds
18 provided under the heading “Investigations” or any
19 project with a completed Chief’s Report that has not yet
20 been authorized if the Secretary determines that the
21 project is technically feasible, economically justified, and
22 environmentally acceptable: *Provided further*, That, using
23 these funds, the non-Federal cash contribution for author-
24 ized but unconstructed projects, projects with completed
25 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

20 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

24 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

1 disaster declaration for such State, the assigned agency,
2 the assistance requested, a description of the disaster, the
3 total cost estimate, and the amount obligated: *Provided*
4 *further*, That not later than 10 days after the last day
5 of each month until a mission assignment or mission as-
6 signment task order described in the preceding proviso is
7 completed and closed out, the Administrator shall update
8 any changes to the total cost estimate and the amount
9 obligated: *Provided further*, That for a disaster declaration
10 related to Hurricanes Harvey, Irma, or Maria, the Admin-
11 istrator shall submit to the Committees on Appropriations
12 of the House of Representatives and the Senate, not later
13 than 5 days after the first day of each month beginning
14 after the date of enactment of this Act, and shall publish
15 on the Agency’s website, not later than 10 days after the
16 first day of each such month, an estimate or actual
17 amount, if available, for the current fiscal year of the cost
18 of the following categories of spending: public assistance,
19 individual assistance, operations, mitigation, administra-
20 tive, and any other relevant category (including emergency
21 measures and disaster resources): *Provided further*, That
22 not later than 10 days after the first day of each month,
23 the Administrator shall publish on the Agency’s website
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
2 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
5 section 417 of the Robert T. Stafford Disaster Relief and
6 Emergency Assistance Act (42 U.S.C. 5184) to be used
7 to assist local governments in providing essential services
8 as a result of Hurricanes Harvey, Irma, or Maria: *Pro-*
9 *vided further*, That such amounts may subsidize gross obli-
10 gations for the principal amount of direct loans not to ex-
11 ceed \$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
14 section 417 of the Robert T. Stafford Disaster Relief and
15 Emergency Assistance Act (42 U.S.C. 5184), a territory
16 or possession, and instrumentalities and local governments
17 thereof, of the United States shall be deemed to be a local
18 government for purposes of this paragraph: *Provided fur-*
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
22 to a territory or possession, and instrumentalities and
23 local governments thereof, may be based on the projected
24 loss of tax and other revenues and on projected cash out-
25 lays 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

24 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
10 the pre-disaster condition of the facility or system;
11 and

12 (2) replace or restore components of the facility
13 or system not damaged by the disaster where nec-
14 essary to fully effectuate the replacement or restora-
15 tion of disaster-damaged components to restore the
16 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: *Provided*, 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

20 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-

1 spect to wildfires in 2017, \$42,246,000, to remain avail-
2 able 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 con-
11 sequences of Hurricanes Irma and Maria, \$3,000,000, to
12 remain available until expended: *Provided*, 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 OFFICE OF INSPECTOR GENERAL

18 SALARIES AND EXPENSES

19 For an additional amount for “Salaries and Ex-
20 penses” 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*,
23 That such amount is designated by the Congress as being
24 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
8 **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.

11 OFFICE OF THE SECRETARY

12 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

13 FUND

14 (INCLUDING TRANSFERS OF FUNDS)

15 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

22 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
5 501, 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
25 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
25 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-

1 nance of effort under such parts that would
2 otherwise be applicable to that assistance shall
3 not apply;

4 (B) such assistance may be used for stu-
5 dent financial assistance;

6 (C) such assistance may also be used for
7 faculty and staff salaries, equipment, student
8 supplies and instruments, or any purpose au-
9 thorized under the Higher Education Act of
10 1965, by institutions of higher education that
11 are located in areas affected by a covered dis-
12 aster or emergency; and

13 (D) the Secretary shall prioritize, to the
14 extent possible, students who are homeless or at
15 risk of becoming homeless as a result of dis-
16 placement, and institutions that have sustained
17 extensive damage, by a covered disaster or
18 emergency;

19 (4) up to \$120,000,000 of the funds made
20 available under this heading shall be for payments to
21 institutions of higher education to help defray the
22 unexpected expenses associated with enrolling dis-
23 placed students from institutions of higher education
24 at which operations have been disrupted by a cov-
25 ered disaster or emergency, in accordance with cri-

1 teria established by the Secretary and made publicly
2 available;

3 (5) \$25,000,000 of the funds made available
4 under this heading shall be available to provide as-
5 sistance to local educational agencies serving home-
6 less children and youths displaced by a covered dis-
7 aster or emergency, consistent with section 723 of
8 the McKinney-Vento Homeless Assistance Act (42
9 U.S.C. 11431–11435) and with section 106 of title
10 IV of division B of Public Law 109–148, except that
11 funds shall be disbursed based on demonstrated need
12 and the number of homeless children and youth en-
13 rolled as a result of displacement by a covered dis-
14 aster or emergency;

15 (6) section 437 of the General Education Provi-
16 sions Act (20 U.S.C. 1232) and section 553 of title
17 5, United States Code, shall not apply to activities
18 under this heading;

19 (7) \$4,000,000 of the funds made available
20 under this heading, to remain available through Sep-
21 tember 30, 2021, shall be transferred to the Office
22 of the Inspector General of the Department of Edu-
23 cation for oversight of activities supported with
24 funds appropriated under this heading, and up to
25 \$3,000,000 of the funds made available under this

1 heading, to remain available through September 30,
2 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

8 (9) the Secretary may waive, modify, or provide
9 extensions for certain requirements of the Higher
10 Education Act of 1965 (20 U.S.C. 1001 et seq.) for
11 affected individuals, affected students, and affected
12 institutions in covered disaster or emergency areas
13 in the same manner as the Secretary was authorized
14 to waive, modify, or provide extensions for certain
15 requirements of such Act under provisions of subtitle
16 B of title IV of division B of Public Law 109–148
17 for affected individuals, affected students, and af-
18 fected institutions in areas affected by Hurricane
19 Katrina and Hurricane Rita, except that the cost as-
20 sociated with any action taken by the Secretary
21 under this paragraph is designated by the Congress
22 as being for an emergency requirement pursuant to
23 section 251(b)(2)(A)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

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
14 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
19 and Response.

20 (b) The authority under subsection (a) shall expire
21 270 days after the date of enactment of this section.

22 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

12 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

10 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

1 such grantees shall receive an allocation of funds under
2 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
5 and sections specified in the previous proviso bears to the
6 amount of all funds provided to all grantees specified in
7 the previous proviso: *Provided further*, That of the
8 amounts made available under the second and third pro-
9 visos of this heading, the Secretary shall allocate to all
10 such grantees an aggregate amount of not less than 33
11 percent of each such amount of funds provided under this
12 heading within 60 days after the date of enactment of this
13 Act based on the best available data: *Provided further*,
14 That the Secretary shall not prohibit the use of funds
15 made available under this heading and the same heading
16 in division B of Public Law 115–56 for non-federal share
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
20 available under this heading, grantees may establish grant
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
24 that such grantee has in place proficient financial controls
25 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 lic 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

1 proviso shall be combined with funds appropriated under
2 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
5 or the same heading in Public Law 115–56 without limita-
6 tion: *Provided further*, That of the funds made available
7 under this heading, \$10,000,000 shall be transferred to
8 the Office of the Inspector General for necessary costs of
9 overseeing and auditing funds made available under this
10 heading: *Provided further*, That any funds made available
11 under this heading that remain available, after the other
12 funds under such heading have been allocated for nec-
13 essary expenses for activities authorized under such head-
14 ing, shall be used for additional activities, including miti-
15 gation, in the most impacted and distressed areas result-
16 ing from major disasters declared in 2011 and subsequent
17 years: *Provided further*, That such remaining funds shall
18 be awarded to grantees of funding provided for disaster
19 relief under this heading, the same heading in chapter 9
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 divi-
22 sion C of Public Law 114–223, section 192 of division C
23 of Public Law 114–223 (as added by section 101(3) of
24 division A of Public Law 114–254), section 421 of division
25 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.

22 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-

1 thorties and conditions applicable to such appropriations
2 accounts for fiscal year 2018.

3 SEC. 1204. The terms and conditions applicable to
4 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-
21 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
25 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
3 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.

23 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

1 adoption and enforcement of the latest pub-
2 lished editions of relevant consensus-based
3 codes, specifications, and standards that incor-
4 porate the latest hazard-resistant designs and
5 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;

10 (3) promotes transparency and accountability
11 through appropriate public notification, outreach,
12 and hearings;

13 (4) identifies performance metrics for assessing
14 and reporting on the progress toward achieving the
15 Commonwealth's recovery goals, as identified under
16 paragraph (1);

17 (5) is developed in coordination with the Over-
18 sight Board established under PROMESA; and

19 (6) is certified by that Oversight Board to be
20 consistent with the purpose set forth in section
21 101(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 Gov-
24 ernor of the Commonwealth of Puerto Rico, in coordina-
25 tion with the Administrator of the Federal Emergency

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.

13 (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**

- 9
- 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-
18 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-

1 tion 404 in any area affected by a fire for which assistance
2 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. 5170e(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
12 event under section 420” after “major disaster”
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
16 “major disaster” each place it appears.

17 (c) REPORTING REQUIREMENT.—Not later than 1
18 year after the date of enactment of this Act and annually
19 thereafter, the Administrator of the Federal Emergency
20 Management Agency shall submit to the Committee on
21 Homeland Security and Governmental Affairs of the Sen-
22 ate, the Committee on Transportation and Infrastructure
23 of the House of Representatives, and the Appropriations
24 Committees of the Senate and the House of Representa-
25 tives a report containing a summary of any projects car-

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) reseeded ground cover with quick-growing
16 or native species;

17 “(2) mulching with straw or chipped wood;

18 “(3) constructing straw, rock, or log dams in
19 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
23 trail drainage mechanisms;

24 “(6) modifying or removing culverts to allow
25 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.”.

15 **SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND**
16 **ENFORCEMENT.**

17 Section 406(a)(2) of the Robert T. Stafford Disaster
18 Relief and Emergency Assistance Act (42 U.S.C.
19 5172(a)(2)) is amended—

20 (1) by striking “and” at the end of subpara-
21 graph (B);

22 (2) by striking the period at the end of sub-
23 paragraph (C) and inserting “; and”; and

24 (3) by adding at the end the following:

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(e) of the
8 Robert T. Stafford Disaster Relief and Emergency Assist-
9 ance Act (42 U.S.C. 5172(e)) 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.—

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.

13 (2) GUIDANCE.—The Administrator of the Fed-
14 eral Highway Administration, in coordination with
15 the Administrator of the Federal Emergency Man-
16 agement Agency, shall revise existing guidance or
17 issue new guidance as appropriate for State, local,
18 and Tribal governments regarding the design, con-
19 struction, maintenance, and repair of evacuation
20 routes.

21 (b) CONSIDERATIONS.—

22 (1) IDENTIFICATION.—In developing the guid-
23 ance under subsection (a)(1), the Administrator of
24 the Federal Emergency Management Agency shall
25 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.

5 “(C) PROHIBITION ON DETERMINATION
6 THAT LOAN IS A DUPLICATION.—Notwith-
7 standing subsection (c), in carrying out sub-
8 paragraph (A), the President may not deter-
9 mine that a loan is a duplication of assistance,
10 provided that all Federal assistance is used to-
11 ward a loss suffered as a result of the major
12 disaster or emergency.”.

13 (b) FUNDING OF A FEDERALLY AUTHORIZED WATER
14 RESOURCES DEVELOPMENT PROJECT.—

15 (1) ELIGIBLE ACTIVITIES.—Notwithstanding
16 section 312 of the Robert T. Stafford Disaster Relief
17 and Emergency Assistance Act (42 U.S.C. 5155)
18 and its implementing regulations, assistance pro-
19 vided pursuant to section 404 of such Act may be
20 used to fund activities authorized for construction
21 within the scope of a federally authorized water re-
22 sources development project of the Army Corps of
23 Engineers if such activities are also eligible activities
24 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-

1 tory to the President, the President shall with-
2 draw the approval.

3 “(D) AUDITS.—The Office of the inspector
4 general shall provide for periodic audits of the
5 programs administered by States and Tribal
6 governments under this subsection.

7 “(E) APPLICABLE LAWS.—All Federal
8 laws applicable to the management, administra-
9 tion, or contracting of the programs by the
10 Federal Emergency Management Agency under
11 this section shall be applicable to the manage-
12 ment, administration, or contracting by a non-
13 Federal entity under this section.

14 “(F) REPORT.—Not later than 18 months
15 after the date of enactment of this paragraph,
16 the inspector general of the Department of
17 Homeland Security shall submit a report to the
18 Committee on Homeland Security and Govern-
19 mental Affairs of the Senate and the Committee
20 on Transportation and Infrastructure of the
21 House of Representatives on the State or Tribal
22 government’s role to provide assistance under
23 this section. The report shall contain an assess-
24 ment 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)”;

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-
20 cludes any private nonprofit facility that pro-
21 vides essential services of a governmental na-
22 ture to the general public (including museums,
23 zoos, performing arts facilities, community arts
24 centers, community centers, houses of worship
25 exempt from taxation under section 501(c) of

1 the Internal Revenue Code of 1986, libraries,
2 homeless shelters, senior citizen centers, reha-
3 bilitation facilities, shelter workshops, food
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
3 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 lic 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

1 with planning for and responding to emergencies as
2 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 re-
8 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.**

20 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
24 shall, consistent with applicable regulations and re-
25 quired procedures, meet its responsibilities to im-

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.**

21 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

1 Development, and other appropriate agencies, con-
2 duct a study and develop a plan, consistent with law,
3 under which the collection of information from dis-
4 aster assistance applicants and grantees will be
5 modified, streamlined, expedited, efficient, flexible,
6 consolidated, and simplified to be less burdensome,
7 duplicative, and time consuming for applicants and
8 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

17 (3) submit the plans to the Committee on
18 Transportation and Infrastructure of the House of
19 Representatives and the Committee on Homeland
20 Security and Governmental Affairs of the Senate.

21 **SEC. 2024. AGENCY ACCOUNTABILITY.**

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

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”.

1 **SEC. 2028. GUIDANCE ON INUNDATED AND SUBMERGED**
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.**

14 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 on
17 such date of enactment shall be terminated if
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.

1 **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. 5170e) 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 (B) by striking the period at the end of
22 clause (iii) and inserting “; or”; and

23 (C) by adding at the end the following:

24 “(iv) to establish and carry out en-
25 forcement activities to implement the latest

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-
25 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-
25 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-
24 MOUS ELECTION.—If all of the producers on a farm
25 fail to make a unanimous election under paragraph

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(e));

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 (c) 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 **EFFECTS**

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
19 3 of the Statutory Pay-As-You-Go Act of 2010 as
20 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.**

17 (a) TAX-FAVORED WITHDRAWALS FROM RETIRE-
18 MENT PLANS.—

19 (1) IN GENERAL.—Section 72(t) of the Internal
20 Revenue Code of 1986 shall not apply to any quali-
21 fied wildfire distribution.

22 (2) AGGREGATE DOLLAR LIMITATION.—

23 (A) IN GENERAL.—For purposes of this
24 subsection, the aggregate amount of distribu-
25 tions received by an individual which may be

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 DISTRIBUTIONS.—If a distribution to an individual would
9 (without regard to subparagraph (A)) be a
10 qualified wildfire distribution, a plan shall not
11 be treated as violating any requirement of the
12 Internal Revenue Code of 1986 merely because
13 the plan treats such distribution as a qualified
14 wildfire distribution, unless the aggregate
15 amount of such distributions from all plans
16 maintained by the employer (and any member
17 of any controlled group which includes the em-
18 ployer) to such individual exceeds \$100,000.

19 (C) CONTROLLED GROUP.—For purposes
20 of subparagraph (B), the term “controlled
21 group” means any group treated as a single
22 employer under subsection (b), (c), (m), or (o)
23 of section 414 of the Internal Revenue Code of
24 1986.
25

1 (3) AMOUNT DISTRIBUTED MAY BE REPAID.—

2 (A) IN GENERAL.—Any individual who re-
3 ceives a qualified wildfire distribution may, at
4 any time during the 3-year period beginning on
5 the day after the date on which such distribu-
6 tion was received, make one or more contribu-
7 tions in an aggregate amount not to exceed the
8 amount of such distribution to an eligible retire-
9 ment plan of which such individual is a bene-
10 ficiary and to which a rollover contribution of
11 such distribution could be made under section
12 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or
13 457(e)(16), of the Internal Revenue Code of
14 1986, as the case may be.

15 (B) TREATMENT OF REPAYMENTS OF DIS-
16 TRIBUTIONS FROM ELIGIBLE RETIREMENT
17 PLANS OTHER THAN IRAS.—For purposes of
18 the Internal Revenue Code of 1986, if a con-
19 tribution is made pursuant to subparagraph (A)
20 with respect to a qualified wildfire distribution
21 from an eligible retirement plan other than an
22 individual retirement plan, then the taxpayer
23 shall, to the extent of the amount of the con-
24 tribution, be treated as having received the
25 qualified wildfire distribution in an eligible roll-

1 over distribution (as defined in section
2 402(c)(4) of such Code) and as having trans-
3 ferred the amount to the eligible retirement
4 plan in a direct trustee to trustee transfer with-
5 in 60 days of the distribution.

6 (C) TREATMENT OF REPAYMENTS FOR
7 DISTRIBUTIONS FROM IRAS.—For purposes of
8 the Internal Revenue Code of 1986, if a con-
9 tribution is made pursuant to subparagraph (A)
10 with respect to a qualified wildfire distribution
11 from an individual retirement plan (as defined
12 by section 7701(a)(37) of such Code), then, to
13 the extent of the amount of the contribution,
14 the qualified wildfire distribution shall be treat-
15 ed as a distribution described in section
16 408(d)(3) of such Code and as having been
17 transferred to the eligible retirement plan in a
18 direct trustee to trustee transfer within 60 days
19 of the distribution.

20 (4) DEFINITIONS.—For purposes of this sub-
21 section—

22 (A) QUALIFIED WILDFIRE DISTRIBUTION.—Except as provided in paragraph (2),
23 the term “qualified wildfire distribution” means
24 any distribution from an eligible retirement
25

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-
25 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 sections
5 401(a)(31), 402(f), and 3405 of the Internal
6 Revenue Code of 1986, qualified wildfire dis-
7 tributions shall not be treated as eligible roll-
8 over distributions.

9 (B) QUALIFIED WILDFIRE DISTRIBUTIONS
10 TREATED AS MEETING PLAN DISTRIBUTION RE-
11 QUIREMENTS.—For purposes the Internal Rev-
12 enue Code of 1986, a qualified wildfire distribu-
13 tion shall be treated as meeting the require-
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 FOR
18 HOME PURCHASES.—

19 (1) RECONTRIBUTIONS.—

20 (A) IN GENERAL.—Any individual who re-
21 ceived a qualified distribution may, during the
22 period beginning on October 8, 2017, and end-
23 ing on June 30, 2018, make one or more con-
24 tributions in an aggregate amount not to exceed
25 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-
24 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
2^D SESSION

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