

115TH CONGRESS
1ST SESSION

H. R. 4667

IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2017

Received

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,*

1 **DIVISION A—DISASTER ASSISTANCE**

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

6 **TITLE I**

7 **DEPARTMENT OF AGRICULTURE**

8 **OFFICE OF THE SECRETARY**

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

1 That the total amount of payments received under this
2 heading for producers who did not obtain a policy or plan
3 of insurance for an insurable commodity for the 2017 crop
4 year, or 2018 crop year in the case of citrus, under the
5 Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for
6 the crop incurring the losses or did not file the required
7 paperwork and pay the service fee by the applicable State
8 filing deadline for a noninsurable commodity for the 2017
9 crop year under NAP for the crop incurring the losses
10 shall not exceed 65 percent of the loss as determined by
11 the Secretary: *Provided further*, That producers receiving
12 payments under this heading, as determined by the Sec-
13 retary, shall be required to purchase crop insurance where
14 crop insurance is available for the next two available crop
15 years, and producers receiving payments under this head-
16 ing shall be required to purchase coverage under NAP
17 where crop insurance is not available in the next two avail-
18 able crop years, as determined by the Secretary: *Provided*
19 *further*, That, not later than 90 days after the end of fiscal
20 year 2018, the Secretary shall submit a report to the Con-
21 gress specifying the type, amount, and method of such as-
22 sistance by state and territory and the status of the
23 amounts obligated and plans for further expenditure and
24 include improvements that can be made to Federal Crop
25 Insurance policies, either administratively or legislatively,

1 to increase participation, particularly among underserved
2 producers, in higher levels of coverage in future years for
3 crops qualifying for assistance under this heading: *Pro-*
4 *vided further*, That such amount is designated by the Con-
5 gress as being for an emergency requirement pursuant to
6 section 251(b)(2)(A)(i) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OFFICE OF INSPECTOR GENERAL

9 For an additional amount for “Office of Inspector
10 General”, \$2,500,000, to remain available until expended,
11 for oversight and audit of programs, grants, and activities
12 funded by this division and administered by the Depart-
13 ment of Agriculture: *Provided*, That such amount is des-
14 ignated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 AGRICULTURAL RESEARCH SERVICE

18 BUILDINGS AND FACILITIES

19 For an additional amount for “Buildings and Facili-
20 ties”, \$22,000,000, 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 is designated by the Congress as being for an
24 emergency requirement pursuant to section

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

3 FARM SERVICE AGENCY

4 EMERGENCY CONSERVATION PROGRAM

5 For an additional amount for the “Emergency Con-
6 servation Program” for necessary expenses related to the
7 consequences of Hurricanes Harvey, Irma, and Maria and
8 of wildfires occurring in calendar year 2017, and other
9 natural disasters, \$400,000,000, to remain available until
10 expended: *Provided*, That not less than \$300,000,000 of
11 the amount made available in the previous proviso shall
12 be for necessary expenses resulting from a major disaster
13 declared pursuant to the Robert T. Stafford Disaster Re-
14 lief and Emergency Assistance Act (42 U.S.C. 5121 et
15 seq.): *Provided further*, That such amount is designated
16 by the Congress as being for an emergency requirement
17 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
18 et and Emergency Deficit Control Act of 1985.

19 NATURAL RESOURCES CONSERVATION SERVICE

20 WATERSHED AND FLOOD PREVENTION OPERATIONS

21 For an additional amount, for “Watershed and Flood
22 Prevention Operations”, for necessary expenses for the
23 Emergency Watershed Protection Program related to the
24 consequences of Hurricanes Harvey, Irma, and Maria and
25 of wildfires occurring in calendar year 2017, and other

1 natural disasters, \$541,000,000, to remain available until
 2 expended: *Provided*, That not less than \$400,000,000 of
 3 the amount made available in the previous proviso shall
 4 be for necessary expenses resulting from a major disaster
 5 declared pursuant to the Robert T. Stafford Disaster Re-
 6 lief and Emergency Assistance Act (42 U.S.C. 5121 et
 7 seq.): *Provided further*, That such amount is designated
 8 by the Congress as being for an emergency requirement
 9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
 10 et and Emergency Deficit Control Act of 1985.

11 RURAL DEVELOPMENT PROGRAMS

12 RURAL HOUSING SERVICE

13 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

14 For an additional amount for costs of direct loans,
 15 including costs relating to modification of such loans, as
 16 those terms are defined in section 502 of the Congres-
 17 sional Budget Act of 1974 (2 U.S.C. 661a), \$18,672,000
 18 shall be for direct loans for the rehabilitation of section
 19 515 rental housing (42 U.S.C. 1485) in locations where
 20 owners were not required to carry national flood insur-
 21 ance, to remain available until September 30, 2019: *Pro-*
 22 *vided*, That such funds shall be for areas impacted by
 23 Hurricanes Harvey, Irma, and Maria: *Provided further*,
 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 RURAL UTILITIES SERVICE

4 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

5 For an additional amount for the “Rural Water and
 6 Waste Disposal Program Account”, \$165,475,000, to re-
 7 main available until expended, for grants to repair drink-
 8 ing water systems and sewer and solid waste disposal sys-
 9 tems impacted by Hurricanes Harvey, Irma, and Maria:
 10 *Provided*, That not to exceed \$2,000,000 of the amount
 11 appropriated under this heading shall be for technical as-
 12 sistance grants for rural water and waste systems pursu-
 13 ant to section 306(a)(14) of the Consolidated Farm and
 14 Rural Development Act: *Provided further*, That such
 15 amount is designated by the Congress as being for an
 16 emergency requirement pursuant to section
 17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 18 Deficit Control Act of 1985.

19 FOOD AND NUTRITION SERVICE

20 COMMODITY ASSISTANCE PROGRAM

21 For an additional amount for “Commodity Assistance
 22 Program” for the emergency food assistance program as
 23 authorized by section 27(a) of the Food and Nutrition Act
 24 of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the
 25 Emergency Food Assistance Act of 1983 (7 U.S.C.

1 7508(a)(1)), \$24,000,000, to remain available until Sep-
2 tember 30, 2019: *Provided*, That notwithstanding any
3 other provisions of the Emergency Food Assistance Act
4 of 1983, the Secretary of Agriculture may allocate addi-
5 tional foods and funds for administrative expenses from
6 resources specifically appropriated, transferred, or repro-
7 grammed to provide resources to Puerto Rico, the United
8 States Virgin Islands, and States affected by wildfires oc-
9 ccurring in calendar year 2017 or Hurricanes Harvey,
10 Irma, and Maria, as determined by the Secretary, without
11 regard to sections 204 and 214 of such Act (7 U.S.C.
12 7508, 7515): *Provided further*, That such funds will be
13 designated for States impacted by Hurricanes Harvey,
14 Irma, and Maria, or wildfire and subject to a federal major
15 disaster or emergency declaration: *Provided further*, That
16 such amount is designated by the Congress as being for
17 an emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES
3 FOOD AND DRUG ADMINISTRATION
4 BUILDINGS AND FACILITIES
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for “Buildings and Facili-
7 ties”, \$7,600,000, to remain available until expended, for
8 necessary expenses related to the consequences of Hurri-
9 canes Harvey, Irma, and Maria: *Provided*, That such
10 amount may be transferred to “Department of Health and
11 Human Services—Food and Drug Administration Salaries
12 and Expenses” for costs related to repair of facilities, for
13 replacement of equipment, and for other increases in facil-
14 ity-related costs: *Provided further*, That obligations in-
15 curred for the purposes provided herein prior to the date
16 of enactment of this Act may be charged to funds appro-
17 priated by this paragraph: *Provided further*, 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 GENERAL PROVISION—THIS TITLE

23 SEC. 101. (a) Section 1501(d)(1) of the Agricultural
24 Act of 2014 (7 U.S.C. 9081(d)(1)) is amended by striking

1 “not more than \$20,000,000” and inserting “not more
2 than \$40,000,000”.

3 (b) The amount provided by subsection (a) for fiscal
4 year 2018 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 II

9 DEPARTMENT OF COMMERCE

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 (INCLUDING TRANSFERS OF FUNDS)

13 Pursuant to section 703 of the Public Works and
14 Economic Development Act (42 U.S.C. 3233), for an addi-
15 tional amount for “Economic Development Assistance
16 Programs” for necessary expenses related to flood mitiga-
17 tion, disaster relief, long-term recovery, and restoration of
18 infrastructure in areas that received a major disaster des-
19 ignation as a result of Hurricanes Harvey, Irma, and
20 Maria, and the calendar year 2017 wildfires, under the
21 Robert T. Stafford Disaster Relief and Emergency Assist-
22 ance Act (42 U.S.C. 5121 et seq.), \$600,000,000, 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-

tion 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That within the amount appropriated, up to 2 percent of funds may be transferred to the “Salaries and Expenses” account for administration and oversight activities: *Provided further*, That within the amount appropriated, \$1,000,000 shall be transferred to the “Office of Inspector General” account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC

ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$120,904,000, to remain available until September 30, 2019, as follows: (1) \$12,904,000 for repair and replacement of observing assets, Federal real property, and equipment; (2) \$18,000,000 for marine debris assessment and removal; (3) \$40,000,000 for mapping, charting, and geodesy services; and (4) \$50,000,000 to improve weather forecasting, hurricane intensity forecasting and flood forecasting and mitigation capabilities, including data assimilation from ocean observing platforms and satellites: *Provided*, That the amount provided under this heading is

1 designated by the Congress as being for an emergency re-
 2 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
 3 anced Budget and Emergency Deficit Control Act of 1985.

4 PROCUREMENT, ACQUISITION AND CONSTRUCTION

5 For an additional amount for “Procurement, Acquisi-
 6 tion and Construction” for necessary expenses related to
 7 the consequences of Hurricanes Harvey, Irma, and Maria,
 8 \$79,232,000, to remain available until September 30,
 9 2020, as follows: (1) \$29,232,000 for repair and replace-
 10 ment of Federal real property and observing assets; and
 11 (2) \$50,000,000 for improvements to operational and re-
 12 search weather supercomputing infrastructure and for im-
 13 provement of satellite ground services used in hurricane
 14 intensity and track prediction: *Provided*, That the amount
 15 provided under this heading 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 DEPARTMENT OF JUSTICE

20 UNITED STATES MARSHALS SERVICE

21 SALARIES AND EXPENSES

22 For an additional amount for “Salaries and Ex-
 23 penses” for necessary expenses related to the con-
 24 sequences of Hurricanes Harvey, Irma, and Maria,
 25 \$2,500,000: *Provided*, That the amount provided under

1 this heading is designated by the Congress as being for
2 an emergency requirement pursuant to section
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 FEDERAL BUREAU OF INVESTIGATION

6 SALARIES AND EXPENSES

7 For an additional amount for “Salaries and Ex-
8 penses” for necessary expenses related to the con-
9 sequences of Hurricanes Harvey, Irma, and Maria,
10 \$21,200,000: *Provided*, That the amount provided under
11 this heading is designated by the Congress as being for
12 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 DRUG ENFORCEMENT ADMINISTRATION

16 SALARIES AND EXPENSES

17 For an additional amount for “Salaries and Ex-
18 penses” for necessary expenses related to the con-
19 sequences of Hurricanes Harvey, Irma, and Maria,
20 \$11,500,000: *Provided*, That the amount provided under
21 this heading is designated by the Congress as being for
22 an emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 FEDERAL PRISON SYSTEM

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 \$16,000,000: *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 BUILDINGS AND FACILITIES

12 For an additional amount for “Buildings and Facili-
13 ties” for necessary expenses related to the consequences
14 of Hurricanes Harvey, Irma, and Maria, \$34,000,000, to
15 remain available until expended: *Provided*, That the
16 amount provided under this heading is designated by the
17 Congress as being for an emergency requirement pursuant
18 to section 251(b)(2)(A)(i) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985.

20 SCIENCE

21 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

22 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND

23 RESTORATION

24 For an additional amount for “Construction and En-
25 vironmental Compliance and Restoration” for repairs at

1 National Aeronautics and Space Administration facilities
2 damaged by hurricanes during 2017, \$81,300,000, to re-
3 main available until expended: *Provided*, That the amount
4 provided under this heading is designated by the Congress
5 as being for an emergency requirement pursuant to sec-
6 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985.

8 NATIONAL SCIENCE FOUNDATION

9 RESEARCH AND RELATED ACTIVITIES

10 For an additional amount for “Research and Related
11 Activities” for necessary expenses to repair National
12 Science Foundation radio observatory facilities damaged
13 by hurricanes that occurred during 2017, \$16,300,000, to
14 remain available until expended: *Provided*, That the
15 amount provided under this heading is designated by the
16 Congress as being for an emergency requirement pursuant
17 to section 251(b)(2)(A)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985: *Provided further*,
19 That the National Science Foundation shall submit a
20 spending plan to the Committees on Appropriations of the
21 House of Representatives and the Senate within 45 days
22 after the date of enactment of this Act.

1 RELATED AGENCIES

2 LEGAL SERVICES CORPORATION

3 PAYMENT TO THE LEGAL SERVICES CORPORATION

4 For an additional amount for “Payment to the Legal
5 Services Corporation” to carry out the purposes of the
6 Legal Services Corporation Act by providing for necessary
7 expenses related to the consequences of Hurricanes Har-
8 vey, Irma, and Maria, \$1,000,000: *Provided*, That the
9 amount made available under this heading shall be used
10 only to provide the mobile resources, technology, and dis-
11 aster coordinators necessary to provide storm-related serv-
12 ices to the Legal Services Corporation client population
13 and only in the areas significantly affected by Hurricanes
14 Harvey, Irma, and Maria: *Provided further*, That such
15 amount is designated by the Congress as being for an
16 emergency requirement pursuant to section
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985: *Provided further*, That none
19 of the funds appropriated in this division to the Legal
20 Services Corporation shall be expended for any purpose
21 prohibited or limited by, or contrary to any of the provi-
22 sions of, sections 501, 502, 503, 504, 505, and 506 of
23 Public Law 105–119, and all funds appropriated in this
24 division to the Legal Services Corporation shall be subject
25 to the same terms and conditions set forth in such sec-

1 tions, except that all references in sections 502 and 503
 2 to 1997 and 1998 shall be deemed to refer instead to 2017
 3 and 2018, respectively, and except that sections 501 and
 4 503 of Public Law 104–134 (referenced by Public Law
 5 105–119) shall not apply to the amount made available
 6 under this heading: *Provided further*, That, for the pur-
 7 poses of this division, the Legal Services Corporation shall
 8 be considered an agency of the United States Government.

9 TITLE III

10 DEPARTMENT OF DEFENSE

11 DEPARTMENT OF DEFENSE—MILITARY

12 OPERATION AND MAINTENANCE

13 OPERATION AND MAINTENANCE, ARMY

14 For an additional amount for “Operation and Main-
 15 tenance, Army”, \$20,110,000, to remain available until
 16 September 30, 2018, for necessary expenses related to the
 17 consequences of Hurricanes Harvey, Irma or Maria: *Pro-*
 18 *vided*, That such amount is designated by the Congress
 19 as being for an emergency requirement pursuant to sec-
 20 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
 21 gency Deficit Control Act of 1985.

22 OPERATION AND MAINTENANCE, NAVY

23 For an additional amount for “Operation and Main-
 24 tenance, Navy”, \$267,796,000, to remain available until
 25 September 30, 2018, for necessary expenses related to the

1 consequences of Hurricanes Harvey, Irma or Maria: *Pro-*
2 *vided*, 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 OPERATION AND MAINTENANCE, MARINE CORPS

7 For an additional amount for “Operation and Main-
8 tenance, Marine Corps”, \$17,920,000, to remain available
9 until September 30, 2018, for necessary expenses related
10 to the consequences of Hurricanes Harvey, Irma or Maria:
11 *Provided*, That such amount is designated by the Congress
12 as being for an emergency requirement pursuant to sec-
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, AIR FORCE

16 For an additional amount for “Operation and Main-
17 tenance, Air Force”, \$20,916,000, to remain available
18 until September 30, 2018, for necessary expenses related
19 to the consequences of Hurricanes Harvey, Irma or Maria:
20 *Provided*, That such amount is designated by the Congress
21 as being for 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 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 For an additional amount for “Operation and Main-
3 tenance, Defense-Wide”, \$2,650,000, 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, ARMY RESERVE

11 For an additional amount for “Operation and Main-
12 tenance, Army Reserve”, \$12,500,000, 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, NAVY RESERVE

20 For an additional amount for “Operation and Main-
21 tenance, Navy Reserve”, \$2,922,000, to remain available
22 until September 30, 2018, for necessary expenses related
23 to the consequences of Hurricanes Harvey, Irma or Maria:
24 *Provided*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

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

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$5,770,000, to remain available until September 30, 2018, for necessary expenses related to the consequences of Hurricanes Harvey, Irma or Maria: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

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

PROCUREMENT

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy” \$18,000,000, to remain available until September 30, 2020, for necessary expenses related to the con-

1 sequences of Hurricanes Harvey, Irma or Maria: *Provided*,
2 That such amount is designated by the Congress as being
3 for 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 REVOLVING AND MANAGEMENT FUNDS

7 DEFENSE WORKING CAPITAL FUNDS

8 For an additional amount for “Defense Working
9 Capital Funds” for the Navy Working Capital Fund,
10 \$9,486,000, to remain available until September 30, 2018,
11 for necessary expenses related to the consequences of Hur-
12 ricanes Harvey, Irma or Maria: *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 OTHER DEPARTMENT OF DEFENSE PROGRAMS

18 DEFENSE HEALTH PROGRAM

19 For an additional amount for operation and mainte-
20 nance for “Defense Health Program”, \$704,000, to re-
21 main available until September 30, 2018, for necessary ex-
22 penses related to the consequences of Hurricanes Harvey,
23 Irma or Maria: *Provided*, That such amount is designated
24 by the Congress as being for an emergency requirement

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

3 TITLE IV

4 CORPS OF ENGINEERS—CIVIL

5 DEPARTMENT OF THE ARMY

6 CORPS OF ENGINEERS—CIVIL

7 INVESTIGATIONS

8 For an additional amount for “Investigations” for
9 necessary expenses related to the consequences of Hurri-
10 canes Harvey, Irma, and Maria, \$75,000,000, to remain
11 available until expended to expedite and complete at full
12 Federal expense studies, including Preconstruction Engi-
13 neering and Design, for flood and storm damage reduc-
14 tion, including shore protection, in areas that were af-
15 fected by Hurricanes Harvey, Irma, or Maria: *Provided*,
16 That the Secretary may use funding provided under this
17 heading to complete ongoing studies, to initiate and com-
18 plete up to two authorized studies for assessing regional
19 flood and storm risks, and to initiate and complete up to
20 six authorized feasibility studies: *Provided further*, That
21 the Secretary shall consider giving priority to studies in
22 areas that suffered the most damage from these hurri-
23 canes and to studies in areas that have had multiple major
24 disaster declarations in recent years: *Provided further*,
25 That a report identifying all ongoing studies, authorized

1 studies for assessing regional flood and storm risks in the
2 impacted areas, and authorized feasibility studies eligible
3 for funding under this heading, including identification of
4 whether each study is in a category to be considered for
5 priority, shall be submitted to the Committees on Appro-
6 priations of the House of Representatives and the Senate
7 not later than 30 days after the date of enactment of this
8 Act: *Provided further*, That no allocation shall be made
9 to initiate any new study until the Secretary submits to
10 the Committees on Appropriations of the House of Rep-
11 resentatives and the Senate a list of all new studies se-
12 lected to be initiated using funds provided under this
13 heading: *Provided further*, That such amount is designated
14 by the Congress as an emergency requirement pursuant
15 to section 251(b)(2)(A)(i) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985: *Provided further*,
17 That beginning not later than 60 days after the date of
18 enactment of this Act, the Assistant Secretary of the Army
19 for Civil Works shall provide monthly reports to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate detailing the allocation and obligation of
22 these funds.

23 CONSTRUCTION

24 For an additional amount for “Construction” for nec-
25 essary expenses related to the consequences of natural dis-

1 asters, including Hurricanes Harvey, Irma, and Maria,
2 \$10,480,000,000, to remain available until expended to re-
3 habilitate, repair, and construct United States Army
4 Corps of Engineers projects: *Provided*, That \$55,000,000
5 of the funds provided under this heading shall be used
6 to address emergency situations at Corps of Engineers
7 projects, and to rehabilitate and repair damages to Corps
8 of Engineers projects, caused by natural disasters: *Pro-*
9 *vided further*, That \$10,425,000,000 of the funds provided
10 under this heading shall be used to expedite construction
11 of projects for flood and storm damage reduction, includ-
12 ing shore protection, in areas that were affected by Hurri-
13 canes Harvey, Irma, or Maria: *Provided further*, That the
14 Secretary shall consider giving priority to projects located
15 in areas that suffered the most damage from these hurri-
16 canes and to projects located in areas that have had mul-
17 tiple major disaster declarations in recent years: *Provided*
18 *further*, That funding utilized for authorized shore protec-
19 tion projects shall restore such projects from the design
20 level of protection to the full project profile at full Federal
21 expense: *Provided further*, That the completion of ongoing
22 construction projects receiving funds provided under this
23 heading shall be at full Federal expense with respect to
24 such funds: *Provided further*, That upon approval of the
25 Committees on Appropriations of the House of Represent-

1 atives and the Senate funds provided under this heading
2 may be used to construct any project studied using funds
3 provided under the heading “Investigations” or any
4 project with a completed Chief’s Report that has not yet
5 been authorized if the Secretary determines that the
6 project is technically feasible, economically justified, and
7 environmentally acceptable: *Provided further*, That, using
8 these funds, the non-Federal cash contribution for author-
9 ized but unconstructed projects, projects with completed
10 Chief’s Reports that have not yet been authorized, or
11 projects that are funded as ongoing studies under the
12 heading “Investigations” shall be financed in accordance
13 with the provisions of section 103(k) of Public Law 99–
14 662 over a period of 30 years from the date of completion
15 of the project or separable element: *Provided further*, That
16 a report identifying all ongoing construction projects, au-
17 thorized but unconstructed projects, and projects with
18 completed Chief’s Reports that have not yet been author-
19 ized, including project cost estimates and identification of
20 whether each project is in a category to be considered for
21 priority, shall be submitted to the Committees on Appro-
22 priations of the House of Representatives and the Senate
23 not later than 45 days after the date of enactment of this
24 Act: *Provided further*, That not more than \$500,000,000
25 of the funds provided to expedite construction shall be

1 available until such report is submitted: *Provided further*,
2 That for projects funded under this heading, the provi-
3 sions of section 902 of the Water Resources Development
4 Act of 1986 shall not apply to these funds: *Provided fur-*
5 *ther*, That up to \$50,000,000 of the funds provided to ex-
6 pedite construction shall be used to expedite continuing
7 authorities projects to reduce the risk of flooding and
8 storm damage in areas impacted by Hurricanes Harvey,
9 Irma, or Maria: *Provided further*, That any projects using
10 funds appropriated under this heading shall be initiated
11 only after non-Federal interests have entered into binding
12 agreements with the Secretary requiring the non-Federal
13 interests to pay 100 percent of the operation, mainte-
14 nance, repair, replacement, and rehabilitation costs of the
15 project and to hold and save the United States free from
16 damages due to the construction or operation and mainte-
17 nance of the project, except for damages due to the fault
18 or negligence of the United States or its contractors: *Pro-*
19 *vided further*, That such amount is designated by the Con-
20 gress as an emergency requirement pursuant to section
21 251(b)(2)(A)(i) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985: *Provided further*, That begin-
23 ning not later than 60 days after the date of enactment
24 of this Act, the Assistant Secretary of the Army for Civil
25 Works shall provide monthly reports to the Committees

1 on Appropriations of the House of Representatives and the
2 Senate detailing the allocation and obligation of these
3 funds.

4 MISSISSIPPI RIVER AND TRIBUTARIES

5 For an additional amount for “Mississippi River and
6 Tributaries”, \$370,000,000, to remain available until ex-
7 pended, for necessary expenses to dredge navigation
8 projects in response to, and repair damages to Corps of
9 Engineers projects caused by, natural disasters: *Provided*,
10 That such amount is designated by the Congress as an
11 emergency requirement pursuant to section
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985: *Provided further*, That begin-
14 ning not later than 60 days after the date of enactment
15 of this Act, the Assistant Secretary of the Army for Civil
16 Works shall provide monthly reports to the Committees
17 on Appropriations of the House of Representatives and the
18 Senate detailing the allocation and obligation of these
19 funds.

20 OPERATION AND MAINTENANCE

21 For an additional amount for “Operation and Main-
22 tenance” for necessary expenses to dredge navigation
23 projects in response to, and repair damages to Corps of
24 Engineers projects caused by, natural disasters,
25 \$608,000,000, to remain available until expended, of

1 which such sums as are necessary to cover the Federal
2 share of eligible operation and maintenance costs for
3 coastal harbors and channels, and for inland harbors shall
4 be derived from the Harbor Maintenance Trust Fund:
5 *Provided*, That such amount is designated by the Congress
6 as an emergency requirement pursuant to section
7 251(b)(2)(A)(i) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985: *Provided further*, That begin-
9 ning not later than 60 days after the date of enactment
10 of this Act, the Assistant Secretary of the Army for Civil
11 Works shall provide monthly reports to the Committees
12 on Appropriations of the House of Representatives and the
13 Senate detailing the allocation and obligation of these
14 funds.

15 FLOOD CONTROL AND COASTAL EMERGENCIES

16 For an additional amount for “Flood Control and
17 Coastal Emergencies”, as authorized by section 5 of the
18 Act of August 18, 1941 (33 U.S.C. 701n), for necessary
19 expenses to prepare for flood, hurricane and other natural
20 disasters and support emergency operations, repairs, and
21 other activities in response to such disasters, as authorized
22 by law, \$537,000,000, to remain available until expended:
23 *Provided*, That such amount is designated by the Congress
24 as an emergency requirement pursuant to section
25 251(b)(2)(A)(i) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985: *Provided further*, That begin-
2 ning not later than 60 days after the date of enactment
3 of this Act, the Assistant Secretary of the Army for Civil
4 Works shall provide monthly reports to the Committees
5 on Appropriations of the House of Representatives and the
6 Senate detailing the allocation and obligation of these
7 funds.

8 EXPENSES

9 For an additional amount for “Expenses” for nec-
10 essary expenses related to the consequences of Hurricanes
11 Harvey, Irma, and Maria, \$20,000,000, to remain avail-
12 able until expended to oversee emergency response and re-
13 covery activities: *Provided*, That such amount is des-
14 ignated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985:
17 *Provided further*, That beginning not later than 60 days
18 after the date of enactment of this Act, the Assistant Sec-
19 retary of the Army for Civil Works shall provide monthly
20 reports to the Committees on Appropriations of the House
21 of Representatives and the Senate detailing the allocation
22 and obligation of these funds.

1 DEPARTMENT OF ENERGY
2 ENERGY PROGRAMS

3 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

4 For an additional amount for “Electricity Delivery
5 and Energy Reliability”, \$13,000,000, to remain available
6 until expended, for necessary expenses related to natural
7 disasters, including technical assistance related to electric
8 grids: *Provided*, That such amount is designated by the
9 Congress as 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 STRATEGIC PETROLEUM RESERVE

13 For an additional amount for “Strategic Petroleum
14 Reserve”, \$8,716,000, to remain available until expended,
15 for necessary expenses related to damages caused by nat-
16 ural disasters: *Provided*, That such amount is designated
17 by the Congress as an emergency requirement pursuant
18 to section 251(b)(2)(A)(i) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985.

20 GENERAL PROVISION—THIS TITLE

21 SEC. 401. In fiscal year 2018 and each fiscal year
22 thereafter, the Chief of Engineers of the U.S. Army Corps
23 of Engineers shall transmit to the Congress, after reason-
24 able opportunity for comment, but without change, by the
25 Assistant Secretary of the Army for Civil Works, a month-

1 ly report, the first of which shall be transmitted to Con-
2 gress not later than 2 days after the date of enactment
3 of this Act and monthly thereafter, which includes detailed
4 estimates of damages to each Corps of Engineers project,
5 caused by natural disasters or otherwise.

6 TITLE V

7 GENERAL SERVICES ADMINISTRATION

8 FEDERAL BUILDINGS FUND

9 For an additional amount to be deposited in the
10 “Federal Buildings Fund”, \$126,951,000, to remain
11 available until expended, for necessary expenses related to
12 the consequences of Hurricanes Harvey, Maria, and Irma,
13 for repair and alteration of buildings under the custody
14 and control of the Administrator of General Services, and
15 real property management and related activities not other-
16 wise provided for: *Provided*, That funds may be used to
17 reimburse the “Federal Buildings Fund” for obligations
18 incurred for this purpose prior to enactment of this Act:
19 *Provided further*, That not more than \$15,000,000 shall
20 be available for tenant improvements in damaged U.S.
21 courthouses: *Provided further*, 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 SMALL BUSINESS ADMINISTRATION

2 DISASTER LOANS PROGRAM ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for the “Small Business
5 Administration—Disaster Loans Program Account” for
6 the cost of direct loans authorized by section 7(b) of the
7 Small Business Act, \$1,652,000,000, to remain available
8 until expended: *Provided*, That up to \$618,000,000 may
9 be transferred to and merged with “Salaries and Ex-
10 penses” for administrative expenses to carry out the dis-
11 aster loan program authorized by section 7(b) of the Small
12 Business Act: *Provided further*, That none of the funds
13 provided under this heading may be used for indirect ad-
14 ministrative expenses: *Provided further*, That the amount
15 provided under this heading 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 OFFICE OF INSPECTOR GENERAL

20 For an additional amount for the “Small Business
21 Administration—Office of Inspector General”,
22 \$7,000,000, 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 TITLE VI
4 DEPARTMENT OF HOMELAND SECURITY
5 OFFICE OF INSPECTOR GENERAL
6 OPERATIONS AND SUPPORT

7 For an additional amount for “Operations and Sup-
8 port” for necessary expenses related to the consequences
9 of Hurricanes Harvey, Irma, and Maria, \$25,000,000, to
10 remain available until September 30, 2020, for audits and
11 investigations of activities funded by this title: *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 U.S. CUSTOMS AND BORDER PROTECTION
17 OPERATIONS AND SUPPORT

18 For an additional amount for “Operations and Sup-
19 port” for necessary expenses related to the consequences
20 of Hurricanes Harvey, Irma, and Maria, \$104,494,000,
21 to remain available until September 30, 2019: *Provided*,
22 That such amount is designated by the Congress as being
23 for an emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985: *Provided further*, That not

1 more than \$39,400,000 may be used to carry out U.S.
2 Customs and Border Protection activities in fiscal year
3 2018 in Puerto Rico and the United States Virgin Islands,
4 in addition to any other amounts available for such pur-
5 poses.

6 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

7 For an additional amount for “Procurement, Con-
8 struction, and Improvements” for necessary expenses re-
9 lated to the consequences of Hurricanes Harvey, Irma,
10 and Maria, \$3,000,000, to remain available until Sep-
11 tember 30, 2022: *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 *Provided further*, That funds are provided to carry out
16 U.S. Customs and Border Protection activities in Puerto
17 Rico and the United States Virgin Islands, in addition to
18 any other amounts available for such purposes.

19 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

20 OPERATIONS AND SUPPORT

21 For an additional amount for “Operations and Sup-
22 port” for necessary expenses related to the consequences
23 of Hurricanes Harvey, Irma, and Maria, \$30,905,000, to
24 remain available until September 30, 2019: *Provided*,
25 That such amount is designated by the Congress as being

1 for an emergency requirement pursuant to section
2 251(b)(2)(A)(i) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

5 For an additional amount for “Procurement, Con-
6 struction, and Improvements” for necessary expenses re-
7 lated to the consequences of Hurricanes Harvey, Irma,
8 and Maria, \$33,052,000, to remain available until Sep-
9 tember 30, 2022: *Provided*, That such amount is des-
10 ignated by the Congress as being for an emergency re-
11 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985.

13 TRANSPORTATION SECURITY ADMINISTRATION

14 OPERATIONS AND SUPPORT

15 For an additional amount for “Operations and Sup-
16 port” for necessary expenses related to the consequences
17 of Hurricanes Harvey, Irma, and Maria, \$10,322,000, to
18 remain available until September 30, 2019: *Provided*,
19 That such amount is designated by the Congress as being
20 for 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 COAST GUARD

2 OPERATING EXPENSES

3 For an additional amount for “Operating Expenses”
4 for necessary expenses related to the consequences of Hur-
5 ricanes Harvey, Irma, and Maria, \$112,136,000, to re-
6 main available until September 30, 2019: *Provided*, That
7 such amount 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 ENVIRONMENTAL COMPLIANCE AND RESTORATION

12 For an additional amount for “Environmental Com-
13 pliance and Restoration” for necessary expenses related
14 to the consequences of Hurricanes Harvey, Irma, and
15 Maria, \$4,038,000, to remain available until September
16 30, 2022: *Provided*, That such amount is designated by
17 the Congress as being for an emergency requirement pur-
18 suant to section 251(b)(2)(A)(i) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985.

20 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

21 For an additional amount for “Acquisition, Construc-
22 tion, and Improvements” for necessary expenses related
23 to the consequences of Hurricanes Harvey, Irma, Maria,
24 and Matthew, \$718,919,000, to remain available until
25 September 30, 2022: *Provided*, That such amount is des-

1 ignated by the Congress as being for an emergency re-
2 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 FEDERAL EMERGENCY MANAGEMENT AGENCY
5 OPERATIONS AND SUPPORT

6 For an additional amount for “Operations and Sup-
7 port” for necessary expenses, \$58,800,000, to remain
8 available until September 30, 2019: *Provided*, 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 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

14 For an additional amount for “Procurement, Con-
15 struction, and Improvements” for necessary expenses,
16 \$1,200,000, to remain available until September 30, 2020:
17 *Provided*, That such amount 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.

21 DISASTER RELIEF FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for “Disaster Relief Fund”
24 for major disasters declared pursuant to the Robert T.
25 Stafford Disaster Relief and Emergency Assistance Act

1 (42 U.S.C. 5121 et seq.), \$27,500,000,000, to remain
2 available until expended: *Provided*, That the Adminis-
3 trator of the Federal Emergency Management Agency
4 shall publish on the Agency's website not later than 5 days
5 after an award of a public assistance grant under section
6 406 or 428 of the Robert T. Stafford Disaster Relief and
7 Emergency Assistance Act (42 U.S.C. 5172 or 5189f) that
8 is in excess of \$1,000,000, the specifics of each such grant
9 award: *Provided further*, That for any mission assignment
10 or mission assignment task order to another Federal de-
11 partment or agency regarding a major disaster in excess
12 of \$1,000,000, not later than 5 days after the issuance
13 of such mission assignment or mission assignment task
14 order, the Administrator shall publish on the Agency's
15 website the following: the name of the impacted State, the
16 disaster declaration for such State, the assigned agency,
17 the assistance requested, a description of the disaster, the
18 total cost estimate, and the amount obligated: *Provided*
19 *further*, That not later than 10 days after the last day
20 of each month until a mission assignment or mission as-
21 signment task order described in the preceding proviso is
22 completed and closed out, the Administrator shall update
23 any changes to the total cost estimate and the amount
24 obligated: *Provided further*, That for a disaster declaration
25 related to Hurricanes Harvey, Irma, or Maria, the Admin-

1 istrator shall submit to the Committees on Appropriations
2 of the House of Representatives and the Senate, not later
3 than 5 days after the first day of each month beginning
4 after the date of enactment of this Act, and shall publish
5 on the Agency’s website, not later than 10 days after the
6 first day of each such month, an estimate or actual
7 amount, if available, for the current fiscal year of the cost
8 of the following categories of spending: public assistance,
9 individual assistance, operations, mitigation, administra-
10 tive, and any other relevant category (including emergency
11 measures and disaster resources): *Provided further*, That
12 not later than 10 days after the first day of each month,
13 the Administrator shall publish on the Agency’s website
14 the report (referred to as the Disaster Relief Monthly Re-
15 port) as required by Public Law 114–4.

16 Of the amounts provided under this heading for the
17 Disaster Relief Fund, up to \$4,000,000,000 may be trans-
18 ferred to the Disaster Assistance Direct Loan Program
19 Account for the cost of direct loans as authorized under
20 section 417 of the Robert T. Stafford Disaster Relief and
21 Emergency Assistance Act (42 U.S.C. 5184) to be used
22 to assist local governments in providing essential services
23 as a result of Hurricanes Harvey, Irma, or Maria: *Pro-*
24 *vided further*, That such amounts may subsidize gross obli-
25 gations for the principal amount of direct loans not to ex-

1 exceed \$4,000,000,000 under section 417 of the Robert T.
2 Stafford Disaster Relief and Emergency Assistance Act
3 (42 U.S.C. 5184): *Provided further*, That notwithstanding
4 section 417 of the Robert T. Stafford Disaster Relief and
5 Emergency Assistance Act (42 U.S.C. 5184), a territory
6 or possession, and instrumentalities and local governments
7 thereof, of the United States shall be deemed to be a local
8 government for purposes of this paragraph: *Provided fur-*
9 *ther*, That notwithstanding section 417(b) of the Robert
10 T. Stafford Disaster Relief and Emergency Assistance Act
11 (42 U.S.C. 5184(b)), the amount of any such loan issued
12 to a territory or possession, and instrumentalities and
13 local governments thereof, may be based on the projected
14 loss of tax and other revenues and on projected cash out-
15 lays not previously budgeted for a period not to exceed
16 180 days from the date of the major disaster, and may
17 exceed \$5,000,000: *Provided further*, That notwith-
18 standing any other provision of law or the constitution of
19 a territory or possession that limits the issuance of debt,
20 a territory or possession, and instrumentalities and local
21 governments thereof, may each receive more than one loan
22 with repayment provisions and other terms specific to the
23 type of lost tax and other revenues and on projected
24 unbudgeted cash outlays for which the loan is provided:
25 *Provided further*, That notwithstanding section 417(c)(1)

1 of the Robert T. Stafford Disaster Relief and Emergency
2 Assistance Act (42 U.S.C. 5184(c)(1)), loans to a territory
3 or possession, and instrumentalities and local governments
4 thereof, may be cancelled in whole or in part only at the
5 discretion of the Secretary of Homeland Security in con-
6 sultation with the Secretary of the Treasury: *Provided fur-*
7 *ther*, That notwithstanding any other provision of law, the
8 Secretary of Homeland Security, in consultation with the
9 Secretary of the Treasury, shall determine the terms, con-
10 ditions, eligible uses, and timing and amount of Federal
11 disbursements of loans issued to a territory or possession,
12 and instrumentalities and local governments thereof: *Pro-*
13 *vided further*, That such costs, including the cost of modi-
14 fying such loans, shall be as defined in section 502 of the
15 Congressional Budget Act of 1974 (2 U.S.C. 661a): *Pro-*
16 *vided further*, That the Federal Emergency Management
17 Agency may transfer up to 1.5 percent of the amount
18 under this paragraph to the Disaster Assistance Direct
19 Loan Program Account for administrative expenses to
20 carry out under this paragraph the direct loan program,
21 as authorized by section 417 of the Robert T. Stafford
22 Disaster Relief and Emergency Assistance Act (42 U.S.C.
23 5184): *Provided further*, That of the amount provided
24 under this paragraph for transfer, up to \$150,000,000
25 may be transferred to the Disaster Assistance Direct Loan

1 Program Account for the cost to lend a territory or posses-
2 sion of the United States that portion of assistance for
3 which the territory or possession is responsible under the
4 cost-sharing provisions of the major disaster declaration
5 for Hurricanes Irma or Maria, as authorized under section
6 319 of the Robert T. Stafford Disaster Relief and Emer-
7 gency Assistance Act (42 U.S.C. 5162): *Provided further*,
8 That of the amount provided under this paragraph for
9 transfer, up to \$1,000,000 may be transferred to the Dis-
10 aster Assistance Direct Loan Program Account for admin-
11 istrative expenses to carry out the Advance of Non-Fed-
12 eral Share program, as authorized by section 319 of the
13 Robert T. Stafford Disaster Relief and Emergency Assist-
14 ance Act (42 U.S.C. 5162): *Provided further*, That the
15 amount provided under this heading is designated by the
16 Congress as being for an emergency requirement pursuant
17 to section 251(b)(2)(A)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
20 OPERATIONS AND SUPPORT

21 For an additional amount for “Operations and Sup-
22 port” for necessary expenses related to the consequences
23 of Hurricanes Harvey, Irma, and Maria, \$5,374,000, to
24 remain available until September 30, 2019: *Provided*,
25 That such amount is designated by the Congress as being

1 for an emergency requirement pursuant to section
 2 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 3 Deficit Control Act of 1985.

4 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

5 For an additional amount for “Procurement, Con-
 6 struction, and Improvements” for necessary expenses re-
 7 lated to the consequences of Hurricanes Harvey, Irma,
 8 and Maria, \$5,000,000, to remain available until Sep-
 9 tember 30, 2022: *Provided*, That such amount is des-
 10 ignated by the Congress as being for an emergency re-
 11 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
 12 anced Budget and Emergency Deficit Control Act of 1985.

13 GENERAL PROVISIONS—THIS TITLE

14 SEC. 601. The Administrator of the Federal Emer-
 15 gency Management Agency may provide assistance, pursu-
 16 ant to section 428 of the Robert T. Stafford Disaster Re-
 17 lief and Emergency Assistance Act (42 U.S.C. 5121 et
 18 seq.), for critical services as defined in section 406 of the
 19 Robert T. Stafford Disaster Relief and Emergency Assist-
 20 ance Act for the duration of the recovery for incidents
 21 DR-4336-PR, DR-4339-PR, DR-4340-USVI, and DR-
 22 4335-USVI to—

23 (1) replace or restore the function of a facility
 24 or system to industry standards without regard to

1 the pre-disaster condition of the facility or system;
2 and

3 (2) replace or restore components of the facility
4 or system not damaged by the disaster where nec-
5 essary to fully effectuate the replacement or restora-
6 tion of disaster-damaged components to restore the
7 function of the facility or system to industry stand-
8 ards.

9 SEC. 602. (a) The Federal share of assistance, in-
10 cluding direct Federal assistance, provided under section
11 407 of the Robert T. Stafford Disaster Relief and Emer-
12 gency Assistance Act (42 U.S.C. 5173), with respect to
13 a major disaster declared pursuant to such Act for dam-
14 ages resulting from a wildfire in calendar year 2017, shall
15 be 90 percent of the eligible costs under such section.

16 (b) The Federal share provided by subsection (a)
17 shall apply to assistance provided before, on, or after the
18 date of enactment of this Act.

19 TITLE VII

20 DEPARTMENT OF THE INTERIOR

21 FISH AND WILDLIFE SERVICE

22 CONSTRUCTION

23 For an additional amount for “Construction” for nec-
24 essary expenses related to the consequences of Hurricanes
25 Harvey, Irma, and Maria, \$210,629,000, to remain avail-

1 able until expended: *Provided*, That such amount is des-
2 ignated by the Congress as being for an emergency re-
3 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 NATIONAL PARK SERVICE

6 HISTORIC PRESERVATION FUND

7 For an additional amount for the “Historic Preserva-
8 tion Fund” for necessary expenses related to the con-
9 sequences of Hurricanes Harvey, Irma, and Maria,
10 \$17,500,000, to remain available until September 30,
11 2019, including costs to States necessary to complete com-
12 pliance activities required by section 306108 of title 54,
13 United States Code (formerly section 106 of the National
14 Historic Preservation Act), and costs needed to administer
15 the program: *Provided*, That grants shall only be available
16 for areas that have received a major disaster declaration
17 pursuant to the Robert T. Stafford Disaster Relief and
18 Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Pro-*
19 *vided further*, That individual grants shall not be subject
20 to a non-Federal matching requirement: *Provided further*,
21 That such amount is designated by the Congress as being
22 for an emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 CONSTRUCTION

2 For an additional amount for “Construction” for nec-
3 essary expenses related to the consequences of Hurricanes
4 Harvey, Irma, and Maria, \$207,600,000, to remain avail-
5 able until expended: *Provided*, That such amount is des-
6 ignated 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 UNITED STATES GEOLOGICAL SURVEY

10 SURVEYS, INVESTIGATIONS, AND RESEARCH

11 For an additional amount for “Surveys, Investiga-
12 tions, and Research” for necessary expenses related to the
13 consequences of Hurricanes Harvey, Irma, and Maria, and
14 in those areas impacted by a major disaster declared pur-
15 suant to the Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5121 et seq.) with re-
17 spect to wildfires in 2017, \$42,246,000, to remain avail-
18 able until expended: *Provided*, That such amount is des-
19 ignated 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.

1 DEPARTMENTAL OFFICES

2 INSULAR AFFAIRS

3 ASSISTANCE TO TERRITORIES

4 For an additional amount for “Technical Assistance”
5 for financial management expenses related to the con-
6 sequences of Hurricanes Irma and Maria, \$3,000,000, to
7 remain available until expended: *Provided*, That such
8 amount is designated by the Congress as being for an
9 emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

14 For an additional amount for “Salaries and Ex-
15 penses” for necessary expenses related to the con-
16 sequences of Hurricanes Harvey, Irma, and Maria,
17 \$2,500,000, 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.

22 ENVIRONMENTAL PROTECTION AGENCY

23 HAZARDOUS SUBSTANCE SUPERFUND

24 For an additional amount for “Hazardous Substance
25 Superfund” for necessary expenses related to the con-

1 sequences of Hurricanes Harvey, Irma, and Maria,
2 \$6,200,000, to remain available until expended: *Provided*,
3 That such amount is designated by the Congress as being
4 for an emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7 LEAKING UNDERGROUND STORAGE TANK FUND

8 For an additional amount for “Leaking Underground
9 Storage Tank Fund” for necessary expenses related to the
10 consequences of Hurricanes Harvey, Irma, and Maria,
11 \$7,000,000, to remain available until expended: *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 DEPARTMENT OF AGRICULTURE

17 FOREST SERVICE

18 STATE AND PRIVATE FORESTRY

19 For an additional amount for “State and Private
20 Forestry” for necessary expenses related to the con-
21 sequences of Hurricanes Harvey, Irma, and Maria,
22 \$7,500,000, 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 NATIONAL FOREST SYSTEM

4 For an additional amount for “National Forest Sys-
5 tem” for necessary expenses related to the consequences
6 of Hurricanes Harvey, Irma, and Maria, \$20,652,000, to
7 remain available until expended: *Provided*, That such
8 amount is designated by the Congress as being for an
9 emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 CAPITAL IMPROVEMENT AND MAINTENANCE

13 For an additional amount for “Capital Improvement
14 and Maintenance” for necessary expenses related to the
15 consequences of Hurricanes Harvey, Irma, and Maria, and
16 the 2017 fire season, \$91,600,000, to remain available
17 until expended: *Provided*, That such amount is designated
18 by the Congress as being for an emergency requirement
19 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
20 et and Emergency Deficit Control Act of 1985.

21 GENERAL PROVISION—THIS TITLE

22 SEC. 701. Agencies receiving funds appropriated by
23 this title shall each provide a monthly report to the Com-
24 mittees on Appropriations of the House of Representatives
25 and the Senate detailing the allocation and obligation of

1 these funds by account, beginning not later than 90 days
2 after enactment of this Act.

3 TITLE VIII

4 DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING ADMINISTRATION

6 TRAINING AND EMPLOYMENT SERVICES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For an additional amount for “Training and Employ-
9 ment Services”, \$30,000,000, for the dislocated workers
10 assistance national reserve for necessary expenses directly
11 related to the consequences of Hurricanes Harvey, Maria,
12 and Irma or the calendar year 2017 wildfires with major
13 disaster or emergency declarations under titles IV or V
14 of the Robert T. Stafford Disaster Relief and Emergency
15 Assistance Act in calendar year 2017, which shall remain
16 available until September 30, 2019: *Provided*, That these
17 sums may be used to replace grant funds previously obli-
18 gated to the impacted areas: *Provided further*, 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 JOB CORPS

24 For an additional amount for “Job Corps” for con-
25 struction, rehabilitation and acquisition for Job Corps

1 Centers in Puerto Rico, \$30,900,000, which shall be avail-
2 able through June 30, 2021: *Provided*, That such amount
3 is designated by the Congress as being for an emergency
4 requirement pursuant to section 251(b)(2)(A)(i) of the
5 Balanced Budget and Emergency Deficit Control Act of
6 1985.

7 DEPARTMENT OF HEALTH AND HUMAN
8 SERVICES

9 CENTERS FOR DISEASE CONTROL AND PREVENTION

10 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “CDC-Wide Activities
13 and Program Support”, \$200,000,000, to remain avail-
14 able until expended, for response, recovery, preparation,
15 mitigation, and other expenses directly related to the con-
16 sequences of Hurricanes Harvey, Irma, or Maria: *Pro-*
17 *vided*, That obligations incurred for the purposes provided
18 herein prior to the date of enactment of this Act may be
19 charged to funds appropriated by this paragraph: *Provided*
20 *further*, That of the amount provided, not less than
21 \$6,000,000 shall be transferred to the “Buildings and Fa-
22 cilities” account for the purposes provided herein: *Pro-*
23 *vided further*, That such amount is designated by the Con-
24 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 THE SECRETARY
4 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
5 FUND
6 (INCLUDING TRANSFERS OF FUNDS)

7 For an additional amount for the “Public Health and
8 Social Services Emergency Fund”, \$177,000,000, to re-
9 main available until expended, for response, recovery,
10 preparation, mitigation and other expenses directly related
11 to the consequences of Hurricanes Harvey, Irma, or
12 Maria, including activities authorized under section 319(a)
13 of the Public Health Service Act (referred to in this title
14 as the “PHS Act”): *Provided*, That \$60,000,000 shall be
15 transferred to “Health Resources and Services Adminis-
16 tration—Primary Health Care”, for expenses related to
17 the consequences of Hurricanes Harvey, Irma, or Maria
18 for disaster response and recovery, for the Health Centers
19 Program under section 330 of the PHS Act: *Provided fur-*
20 *ther*, That not less than \$50,000,000, of amounts trans-
21 ferred under the preceding proviso, shall be available for
22 alteration, renovation, construction, equipment, and other
23 capital improvement costs as necessary to meet the needs
24 of areas affected by Hurricanes Harvey, Irma, or Maria:
25 *Provided further*, That the time limitation in section

1 330(e)(3) of the PHS Act shall not apply to funds made
2 available under the preceding proviso: *Provided further*,
3 That not less than \$20,000,000 shall be transferred to
4 “Substance Abuse and Mental Health Services Adminis-
5 tration—Health Surveillance and Program Support” for
6 grants, contracts, and cooperative agreements for behav-
7 ioral health treatment, crisis counseling, and other related
8 helplines, and for other similar programs to provide sup-
9 port to individuals impacted by Hurricanes Harvey, Irma,
10 or Maria: *Provided further*, That up to \$2,000,000 shall
11 be transferred to “Office of the Secretary—Office of In-
12 spector General” for oversight of activities responding to
13 such hurricanes: *Provided further*, That obligations in-
14 curred for the purposes provided herein prior to the date
15 of enactment of this Act may be charged to funds appro-
16 priated under this heading: *Provided further*, That of the
17 funds appropriated in this paragraph, \$15,000,000 shall
18 be transferred to the “National Institutes of Health—Of-
19 fice of the Director” for the purposes provided in this
20 paragraph: *Provided further*, That funds transferred to the
21 National Institutes of Health for the purpose of sup-
22 porting the repair or rebuilding of non-Federal biomedical
23 or behavioral research facilities damaged as a result of
24 Hurricanes Harvey, Irma, or Maria shall be used to award
25 grants or contracts for such purpose under section 404I

1 of the Public Health Service Act: *Provided further*, That
 2 section 404I(c)(2) of such Act does not apply to the use
 3 of funds described in the preceding proviso: *Provided fur-*
 4 *ther*, That funds appropriated in this paragraph shall not
 5 be available for costs that are reimbursed by the Federal
 6 Emergency Management Agency, under a contract for in-
 7 surance, or by self-insurance: *Provided further*, That such
 8 additional 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 ADMINISTRATION FOR CHILDREN AND FAMILIES

13 CHILDREN AND FAMILIES SERVICES PROGRAMS

14 For an additional amount for “Children and Families
 15 Services Programs”, \$650,000,000, to remain available
 16 until September 30, 2021, for Head Start programs, for
 17 necessary expenses directly related to the consequences of
 18 Hurricanes Harvey, Irma, or Maria, including making
 19 payments under the Head Start Act: *Provided*, That none
 20 of the funds appropriated in this paragraph shall be in-
 21 cluded in the calculation of the “base grant” in subsequent
 22 fiscal years, as such term is defined in sections
 23 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head
 24 Start Act: *Provided further*, That funds appropriated in
 25 this paragraph are not subject to the allocation require-

1 ments of section 640(a) of the Head Start Act: *Provided*
 2 *further*, That funds appropriated in this paragraph shall
 3 not be available for costs that are reimbursed by the Fed-
 4 eral Emergency Management Agency, under a contract for
 5 insurance, or by self-insurance: *Provided further*, That up
 6 to \$10,000,000 shall be available for Federal administra-
 7 tive expenses: *Provided further*, That obligations incurred
 8 for the purposes provided herein prior to the date of enact-
 9 ment of this Act may be charged to funds appropriated
 10 under this heading: *Provided further*, That such additional
 11 amount is designated by the Congress as being for an
 12 emergency requirement pursuant to section
 13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 14 Deficit Control Act of 1985.

15 DEPARTMENT OF EDUCATION

16 HURRICANE EDUCATION RECOVERY

17 (INCLUDING TRANSFER OF FUNDS)

18 For an additional amount for “Hurricane Education
 19 Recovery” for assisting in meeting the educational needs
 20 of individuals affected by Hurricanes Harvey, Irma, or
 21 Maria, or calendar year 2017 wildfires for which the Presi-
 22 dent declared a major disaster or emergency under section
 23 401 or 501 of the Robert T. Stafford Disaster Relief and
 24 Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
 25 5191) (referred to herein as a “covered disaster or emer-

1 gency’’), \$2,900,000,000, to remain available through
2 September 30, 2021: *Provided*, That such additional
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: *Provided further*, That—

7 (1) such funds shall be used—

8 (A) to make awards, which shall be avail-
9 able until expended, to eligible entities for im-
10 mediate aid to restart school operations, in ac-
11 cordance with paragraph (2);

12 (B) for temporary emergency impact aid
13 for displaced students, in accordance with para-
14 graph (2);

15 (C) for emergency assistance to institu-
16 tions of higher education and students attend-
17 ing institutions of higher education in an area
18 directly affected by a covered disaster or emer-
19 gency in accordance with paragraph (3);

20 (D) for payments to institutions of higher
21 education to help defray the unexpected ex-
22 penses associated with enrolling displaced stu-
23 dents from institutions of higher education di-
24 rectly affected by a covered disaster or emer-
25 gency, in accordance with paragraph (4); and

1 (E) to provide assistance to local edu-
2 cational agencies serving homeless children and
3 youth in accordance with paragraph (5);

4 (2) immediate aid to restart school operations
5 and temporary emergency impact aid for displaced
6 students described in subparagraphs (A) and (B) of
7 paragraph (1) shall be provided under the statutory
8 terms and conditions that applied to assistance
9 under sections 102 and 107 of title IV of division B
10 of Public Law 109–148, respectively, including the
11 nondiscrimination provisions under section 107(m),
12 except that such sections shall be applied so that—

13 (A) each reference to a major disaster de-
14 clared in accordance with section 401 of the
15 Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5170) shall be
17 to a major disaster or emergency declared by
18 the President in accordance with section 401 or
19 501, respectively, of such Act;

20 (B) each reference to Hurricane Katrina
21 or Hurricane Rita shall be a reference to a cov-
22 ered disaster or emergency;

23 (C) each reference to August 22, 2005,
24 when used in relation to a covered disaster or
25 emergency, shall be to the date that is one week

1 prior to the date on which the major disaster or
2 emergency was declared for the area;

3 (D) each reference to the States of Lou-
4 isiana, Mississippi, Alabama, and Texas shall be
5 to the States or territories affected by a covered
6 disaster or emergency, and each reference to
7 the State educational agencies of Louisiana,
8 Mississippi, Alabama, or Texas shall be a ref-
9 erence to the State educational agencies that
10 serve the states or territories affected by a cov-
11 ered disaster or emergency;

12 (E) each reference to the 2005–2006
13 school year shall be to the 2017–2018 school
14 year;

15 (F) the references in section 102(h)(1) of
16 title IV of division B of Public Law 109–148 to
17 the number of non-public elementary schools
18 and secondary schools in the State shall be to
19 the number of students in non-public elemen-
20 tary schools and secondary schools in the State,
21 and the reference in such section to the 2003–
22 2004 school year shall be to the most recent
23 data set for the 2016–2017 school year;

24 (G) in determining the amount of imme-
25 diate aid provided to restart school operations

1 as described in section 102(b) of title IV of di-
2 vision B of Public Law 109–148, the Secretary
3 shall consider the number of students enrolled,
4 during the 2016–2017 school year, in elemen-
5 tary schools and secondary schools that were
6 closed as a result of a covered disaster or emer-
7 gency;

8 (H) in determining the amount of emer-
9 gency impact aid that a State educational agen-
10 cy is eligible to receive under paragraph (1)(B),
11 the Secretary shall, subject to section
12 107(d)(1)(B) of such title, provide—

13 (i) \$9,000 for each displaced student
14 who is an English learner, as that term is
15 defined in section 8101 of the Elementary
16 and Secondary Education Act of 1965 (20
17 U.S.C. 7801);

18 (ii) \$10,000 for each displaced stu-
19 dent who is a child with disability (regard-
20 less of whether the child is an English
21 learner); and

22 (iii) \$8,500 for each displaced student
23 who is not a child with a disability or an
24 English learner; and

1 (I) with respect to the emergency impact
2 aid provided under paragraph (1)(B), the Sec-
3 retary may modify the State educational agency
4 and local educational agency application
5 timelines in section 107(c) of such title;

6 (3) up to \$200,000,000 of the funds made
7 available under this heading shall be for programs
8 authorized under subpart 3 of part A and part C of
9 title IV and part B of title VII of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1087–51 et seq.,
11 1138 et seq.) for institutions located in an area af-
12 fected by a covered disaster or emergency, and stu-
13 dents enrolled in such institutions, except that—

14 (A) any requirements relating to matching,
15 Federal share, reservation of funds, or mainte-
16 nance of effort under such parts that would
17 otherwise be applicable to that assistance shall
18 not apply;

19 (B) such assistance may be used for stu-
20 dent financial assistance;

21 (C) such assistance may also be used for
22 faculty and staff salaries, equipment, student
23 supplies and instruments, or any purpose au-
24 thorized under the Higher Education Act of
25 1965, by institutions of higher education that

1 are located in areas affected by a covered dis-
2 aster or emergency; and

3 (D) the Secretary shall prioritize, to the
4 extent possible, students who are homeless or at
5 risk of becoming homeless as a result of dis-
6 placement, and institutions that have sustained
7 extensive damage, by a covered disaster or
8 emergency;

9 (4) up to \$120,000,000 of the funds made
10 available under this heading shall be for payments to
11 institutions of higher education to help defray the
12 unexpected expenses associated with enrolling dis-
13 placed students from institutions of higher education
14 at which operations have been disrupted by a cov-
15 ered disaster or emergency, in accordance with cri-
16 teria established by the Secretary and made publicly
17 available;

18 (5) \$25,000,000 of the funds made available
19 under this heading shall be available to provide as-
20 sistance to local educational agencies serving home-
21 less children and youths displaced by a covered dis-
22 aster or emergency, consistent with section 723 of
23 the McKinney-Vento Homeless Assistance Act (42
24 U.S.C. 11431–11435) and with section 106 of title
25 IV of division B of Public Law 109–148, except that

1 funds shall be disbursed based on demonstrated need
2 and the number of homeless children and youth en-
3 rolled as a result of displacement by a covered dis-
4 aster or emergency;

5 (6) section 437 of the General Education Provi-
6 sions Act (20 U.S.C. 1232) and section 553 of title
7 5, United States Code, shall not apply to activities
8 under this heading;

9 (7) \$4,000,000 of the funds made available
10 under this heading, to remain available through Sep-
11 tember 30, 2021, shall be transferred to the Office
12 of the Inspector General of the Department of Edu-
13 cation for oversight of activities supported with
14 funds appropriated under this heading, and up to
15 \$3,000,000 of the funds made available under this
16 heading, to remain available through September 30,
17 2019, shall be for program administration;

18 (8) up to \$35,000,000 of the funds made avail-
19 able under this heading shall be to carry out activi-
20 ties authorized under section 4631(b) of the Elemen-
21 tary and Secondary Education Act of 1965 (20
22 U.S.C. 7281(b)); and

23 (9) the Secretary may waive, modify, or provide
24 extensions for certain requirements of the Higher
25 Education Act of 1965 (20 U.S.C. 1001 et seq.) for

1 affected individuals, affected students, and affected
2 institutions in covered disaster or emergency areas
3 in the same manner as the Secretary was authorized
4 to waive, modify, or provide extensions for certain
5 requirements of such Act under provisions of subtitle
6 B of title IV of division B of Public Law 109–148
7 for affected individuals, affected students, and af-
8 fected institutions in areas affected by Hurricane
9 Katrina and Hurricane Rita, except that the cost as-
10 sociated with any action taken by the Secretary
11 under this paragraph is designated by the Congress
12 as being for an emergency requirement pursuant to
13 section 251(b)(2)(A)(i) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 GENERAL PROVISIONS—THIS TITLE

16 (INCLUDING TRANSFERS OF FUNDS)

17 SEC. 801. (a) Notwithstanding section 133(b)(4) of
18 the Workforce Innovation and Opportunity Act, in States,
19 as defined by section 3(56) of such Act, affected by Hurri-
20 canes Harvey, Irma, and Maria, a local board, as defined
21 by section 3(33) of such Act, in a local area, as defined
22 by section 3(32) of such Act, affected by such Hurricanes
23 may transfer, if such transfer is approved by the Gov-
24 ernor, up to 100 percent of the funds allocated to the local
25 area for Program Years 2016 and 2017 for Youth Work-

1 force Investment activities under paragraphs (2) or (3) of
2 section 128(b) of such Act, for Adult employment and
3 training activities under paragraphs (2)(A) or (3) of sec-
4 tion 133(b) of such Act, or for Dislocated Worker employ-
5 ment and training activities under paragraph (2)(B) of
6 section 133(b) of such Act among—

7 (1) adult employment and training activities;

8 (2) dislocated worker employment and training
9 activities; and

10 (3) youth workforce investment activities.

11 (b) Except for the funds reserved to carry out re-
12 quired statewide activities under sections 127(b) and
13 134(a)(2) of the Workforce Innovation and Opportunity
14 Act, the Governor of the United States Virgin Islands may
15 authorize the transfer of up to 100 percent of the remain-
16 ing funds provided to the United States Virgin Islands for
17 Program Years 2016 and 2017 for Youth Workforce In-
18 vestment activities under section 127(b)(1)(B) of such
19 Act, for Adult employment and training activities under
20 section 132(b)(1)(A) of such Act, or for Dislocated Work-
21 er employment and training activities under section
22 133(b)(2)(A)) of such Act among—

23 (1) adult employment and training activities;

24 (2) dislocated worker employment and training activi-
25 ties; and

1 (3) youth workforce investment activities.

2 SEC. 802. Funds appropriated by this title may be
3 transferred to, and merged with, other appropriation ac-
4 counts under the headings “Centers for Disease Control
5 and Prevention” and “Public Health and Social Services
6 Emergency Fund” for the purposes specified in this title
7 following consultation with the Office of Management and
8 Budget: *Provided*, That the Committees on Appropriations
9 in the House of Representatives and the Senate shall be
10 notified 10 days in advance of any such transfer: *Provided*
11 *further*, That, upon a determination that all or part of the
12 funds transferred from an appropriation are not nec-
13 essary, such amounts may be transferred back to that ap-
14 propriation: *Provided further*, That none of the funds
15 made available by this title may be transferred pursuant
16 to the authority in section 205 of division H of Public Law
17 115–31 or section 241(a) of the PHS Act.

18 SEC. 803. (a) As the Secretary of Health and Human
19 Services determines necessary to respond to a critical hir-
20 ing need for emergency response positions, after providing
21 public notice and without regard to the provisions of sec-
22 tions 3309 through 3319 of title 5, United States Code,
23 the Secretary may appoint candidates directly to the fol-
24 lowing positions to perform critical work directly relating

1 to the consequences of Hurricanes Harvey, Irma, or
2 Maria:

3 (1) Intermittent disaster-response personnel in
4 the National Disaster Medical System, under section
5 2812 of the PHS Act (42 U.S.C. 300hh–11).

6 (2) Term or temporary appointments at the
7 Centers for Disease Control and Prevention and the
8 Office of the Assistant Secretary for Preparedness
9 and Response.

10 (b) The authority under subsection (a) shall expire
11 270 days after the date of enactment of this section.

12 SEC. 804. Notwithstanding any other provision of
13 law, the interest payment of the United States Virgin Is-
14 lands that was due under section 1202(b)(1) of the Social
15 Security Act on September 29, 2017, shall not be due until
16 September 28, 2018, and no interest shall accrue on such
17 amount through September 28, 2018.

18 SEC. 805. Agencies receiving funds appropriated by
19 this title shall each provide a monthly report to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate detailing the allocation and obligation of
22 these funds by account, beginning not later than 90 days
23 after enactment of this Act.

1 TITLE IX
2 GOVERNMENT ACCOUNTABILITY OFFICE
3 SALARIES AND EXPENSES
4 For an additional amount for the Government Ac-
5 countability Office for “Salaries and Expenses”,
6 \$14,000,000, to remain available until expended, for au-
7 dits and investigations relating to Hurricanes Harvey,
8 Irma, and Maria and the calendar year 2017 wildfires:
9 *Provided*, That not later than 180 days after the date of
10 enactment of this Act, GAO shall submit to Congress a
11 report describing the United States Virgin Island’s eco-
12 nomic and disaster recovery plan that defines the prior-
13 ities, goals, and expected outcomes of the recovery effort
14 based on damage assessments prepared pursuant to Fed-
15 eral law: *Provided further*, That GAO shall report on the
16 internal control plans that are in place to provide oversight
17 of Federal disaster funds to be used in recovery activities
18 in the United States Virgin Islands, identify any defi-
19 ciencies in such plans, and provide recommendations to
20 address noted deficiencies: *Provided further*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 TITLE X
2 DEPARTMENT OF DEFENSE
3 MILITARY CONSTRUCTION
4 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
5 For an additional amount for “Military Construction,
6 Navy and Marine Corps”, \$201,636,000, to remain avail-
7 able until September 30, 2022, for necessary expenses re-
8 lated to the consequences of Hurricanes Harvey, Irma,
9 and Maria: *Provided*, That none of the funds made avail-
10 able to the Navy and Marine Corps for recovery efforts
11 related to Hurricanes Harvey, Irma, and Maria in this di-
12 vision shall be available for obligation until the Commit-
13 tees on Appropriations of the House of Representatives
14 and the Senate receive form 1391 for each specific re-
15 quest: *Provided further*, That, not later than 60 days after
16 enactment of this Act, the Secretary of the Navy, or his
17 designee, shall submit to the Committees on Appropria-
18 tions of House of Representatives and the Senate a de-
19 tailed expenditure plan for funds provided under this
20 heading: *Provided further*, That such funds may be obli-
21 gated or expended for planning and design and military
22 construction projects not otherwise authorized by law:
23 *Provided further*, That such amount is designated by the
24 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 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

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

1 DEPARTMENT OF VETERANS AFFAIRS
2 VETERANS HEALTH ADMINISTRATION
3 MEDICAL SERVICES

4 For an additional amount for “Medical Services”,
5 \$11,075,000, to remain available until September 30,
6 2019, for necessary expenses related to the consequences
7 of Hurricanes Harvey, Irma, and Maria: *Provided*, That
8 such amount is designated by the Congress as being for
9 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 MEDICAL SUPPORT AND COMPLIANCE

13 For an additional amount for “Medical Support and
14 Compliance”, \$3,209,000, to remain available until Sep-
15 tember 30, 2019, for necessary expenses related to the
16 consequences of Hurricanes Harvey, Irma, and Maria:
17 *Provided*, That such amount 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.

21 MEDICAL FACILITIES

22 For an additional amount for “Medical Facilities”,
23 \$75,108,000, to remain available until September 30,
24 2022, for necessary expenses related to the consequences
25 of Hurricanes Harvey, Irma, and Maria: *Provided*, That

1 none of these funds shall be available for obligation until
2 the Secretary of Veterans Affairs submits to the Commit-
3 tees on Appropriations of the House of Representatives
4 and the Senate a detailed expenditure plan for funds pro-
5 vided under this heading: *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 DEPARTMENTAL ADMINISTRATION

11 CONSTRUCTION, MINOR PROJECTS

12 For an additional amount for “Construction, Minor
13 Projects”, \$4,088,000, to remain available until Sep-
14 tember 30, 2022, for necessary expenses related to the
15 consequences of Hurricanes Harvey, Irma, and Maria:
16 *Provided*, That such amount is designated by the Congress
17 as being for an emergency requirement pursuant to sec-
18 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
19 gency Deficit Control Act of 1985.

20 GENERAL PROVISION—THIS TITLE

21 SEC. 1001. Notwithstanding section 18236(b) of title
22 10, United States Code, the Secretary of Defense shall
23 contribute to Puerto Rico 100 percent of the total cost
24 of construction (including the cost of architectural, engi-
25 neering and design services) for the acquisition, construc-

1 tion, expansion, rehabilitation, or conversion of the Arroyo
2 readiness center under paragraph (5) of section 18233(a)
3 of title 10, United States Code.

4 TITLE XI

5 DEPARTMENT OF TRANSPORTATION

6 FEDERAL AVIATION ADMINISTRATION

7 OPERATIONS

8 (AIRPORT AND AIRWAY TRUST FUND)

9 For an additional amount for “Operations”,
10 \$35,000,000, to be derived from the Airport and Airway
11 Trust Fund and to remain available until expended, for
12 necessary expenses related to the consequences of hurri-
13 canes occurring in calendar year 2017: *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 FACILITIES AND EQUIPMENT

19 (AIRPORT AND AIRWAY TRUST FUND)

20 For an additional amount for “Facilities and Equip-
21 ment”, \$79,589,000, to be derived from the Airport and
22 Airway Trust Fund and to remain available until ex-
23 pended, for necessary expenses related to the consequences
24 of hurricanes occurring in calendar year 2017: *Provided*,
25 That such amount is designated by the Congress as being

1 for an emergency requirement pursuant to section
2 251(b)(2)(A)(i) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 FEDERAL HIGHWAY ADMINISTRATION

5 FEDERAL-AID HIGHWAYS

6 EMERGENCY RELIEF PROGRAM

7 For an additional amount for the Emergency Relief
8 Program as authorized under section 125 of title 23,
9 United States Code, \$1,374,000,000, to remain available
10 until expended: *Provided*, That notwithstanding section
11 125(d)(4) of title 23, United States Code, no limitation
12 on the total obligations for projects under section 125 of
13 such title shall apply to the United States Virgin Islands,
14 Guam, American Samoa, and the Commonwealth of the
15 Northern Mariana Islands for fiscal year 2018 and fiscal
16 year 2019: *Provided further*, That notwithstanding section
17 120(i)(1) of title 23, United States Code, for fiscal year
18 2018 and each fiscal year thereafter, Puerto Rico may use
19 toll credits toward the non-Federal share requirement for
20 emergency relief funds made available under section 125
21 of such title to respond to damage caused by Hurricanes
22 Irma and Maria: *Provided further*, That such amounts are
23 designated by the Congress as being for an emergency re-
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1 FEDERAL TRANSIT ADMINISTRATION

2 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

3 For the “Public Transportation Emergency Relief
4 Program” as authorized under section 5324 of title 49,
5 United States Code, \$269,000,000 to remain available
6 until expended, for transit systems affected by Hurricanes
7 Harvey, Irma, and Maria with major disaster declarations
8 in 2017: *Provided*, That not more than three-quarters of
9 one percent of the funds for public transportation emer-
10 gency relief shall be available for administrative expenses
11 and ongoing program management oversight as authorized
12 under sections 5334 and 5338(f)(2) of such title and shall
13 be in addition to any other appropriations for such pur-
14 pose: *Provided further*, That such amounts are 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 MARITIME ADMINISTRATION

19 OPERATIONS AND TRAINING

20 For an additional amount for “Operations and Train-
21 ing”, \$10,000,000, to remain available until expended, for
22 necessary expenses, including for dredging, related to
23 damage to Maritime Administration facilities resulting
24 from Hurricane Harvey: *Provided*, That such amount is
25 designated by the Congress as being for an emergency re-

1 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
 2 anced Budget and Emergency Deficit Control Act of 1985.

3 DEPARTMENT OF HOUSING AND URBAN
 4 DEVELOPMENT

5 COMMUNITY PLANNING AND DEVELOPMENT

6 COMMUNITY DEVELOPMENT FUND

7 (INCLUDING TRANSFERS OF FUNDS)

8 For an additional amount for “Community Develop-
 9 ment Fund”, \$26,060,000,000, to remain available until
 10 expended, for necessary expenses for activities authorized
 11 under title I of the Housing and Community Development
 12 Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
 13 relief, long-term recovery, restoration of infrastructure
 14 and housing, economic revitalization, and mitigation in the
 15 most impacted and distressed areas resulting from a
 16 major disaster declared in 2017 (except as otherwise pro-
 17 vided under this heading) pursuant to the Robert T. Staf-
 18 ford Disaster Relief and Emergency Assistance Act (42
 19 U.S.C. 5121 et seq.): *Provided*, That funds shall be award-
 20 ed directly to the State, unit of general local government,
 21 or Indian tribe (as such term is defined in section 102
 22 of the Housing and Community Development Act of 1974)
 23 at the discretion of the Secretary: *Provided further*, That
 24 of the amounts made available under this heading, up to
 25 \$13,560,000,000 shall be allocated to meet unmet needs

1 for grantees that have received or will receive allocations
2 for major disasters declared in 2017, and that such alloca-
3 tions shall include the States and units of local govern-
4 ment affected by Hurricane Maria: *Provided further*, That
5 of the amounts made available under this heading, no less
6 than \$12,500,000,000 shall be allocated for mitigation ac-
7 tivities to all grantees of funding provided under this head-
8 ing, the same heading in chapter 9 of title X of division
9 A of Public Law 113–2, section 420 of division L of Public
10 Law 114–113, section 145 of division C of Public Law
11 114–223, section 192 of division C of Public Law 114–
12 223 (as added by section 101(3) of division A of Public
13 Law 114–254), section 421 of division K of Public Law
14 115–31, and the same heading in division B of Public Law
15 115–56, and that such mitigation activities shall be sub-
16 ject to the same terms and conditions of this heading, as
17 determined by the Secretary: *Provided further*, That all
18 such grantees shall receive an allocation of funds under
19 the preceding proviso in the same proportion that the
20 amount of funds each grantee received or will receive
21 under the second proviso of this heading or the headings
22 and sections specified in the previous proviso bears to the
23 amount of all funds provided to all grantees specified in
24 the previous proviso: *Provided further*, That of the
25 amounts made available under the second and third pro-

1 visos of this heading, the Secretary shall allocate to all
2 such grantees an aggregate amount of not less than 33
3 percent of each such amount of funds provided under this
4 heading within 60 days after the date of enactment of this
5 Act based on the best available data: *Provided further*,
6 That the Secretary shall not prohibit the use of funds
7 made available under this heading and the same heading
8 in division B of Public Law 115–56 for non-federal share
9 as authorized by section 105(a)(9) of the Housing and
10 Community Development Act of 1974 (42 U.S.C.
11 5305(a)(9)): *Provided further*, That of the amounts made
12 available under this heading, grantees may establish grant
13 programs to assist small businesses to recover from eco-
14 nomic losses: *Provided further*, That as a condition of
15 making any grant, the Secretary shall certify in advance
16 that such grantee has in place proficient financial controls
17 and procurement processes and has established adequate
18 procedures to prevent any duplication of benefits as de-
19 fined by section 312 of the Robert T. Stafford Disaster
20 Relief and Emergency Assistance Act (42 U.S.C. 5155),
21 to ensure timely expenditure of funds, to maintain com-
22 prehensive websites regarding all disaster recovery activi-
23 ties assisted with these funds, and to detect and prevent
24 waste, fraud, and abuse of funds: *Provided further*, That
25 the Secretary shall require grantees to maintain on a pub-

1 lie website information containing common reporting cri-
2 teria established by the Department that permits individ-
3 uals and entities awaiting assistance and the general pub-
4 lic to see how all grant funds are used, including copies
5 of all relevant procurement documents, grantee adminis-
6 trative contracts and details of ongoing procurement proc-
7 esses, as determined by the Secretary: *Provided further*,
8 That prior to the obligation of funds a grantee shall sub-
9 mit a plan to the Secretary for approval detailing the pro-
10 posed use of all funds, including criteria for eligibility and
11 how the use of these funds will address long-term recovery,
12 restoration of infrastructure and housing, economic revi-
13 talization, and mitigation in the most impacted and dis-
14 tressed areas: *Provided further*, That such funds may not
15 be used for activities reimbursable by, or for which funds
16 are made available by, the Federal Emergency Manage-
17 ment Agency or the Army Corps of Engineers: *Provided*
18 *further*, That funds allocated under this heading shall not
19 be considered relevant to the non-disaster formula alloca-
20 tions made pursuant to section 106 of the Housing and
21 Community Development Act of 1974 (42 U.S.C. 5306):
22 *Provided further*, That a State, unit of general local gov-
23 ernment, or Indian tribe may use up to 5 percent of its
24 allocation for administrative costs: *Provided further*, That
25 the sixth proviso under this heading in the Supplemental

1 Appropriations for Disaster Relief Requirements, 2017
2 (division B of Public Law 115–56) is amended by striking
3 “State or subdivision thereof” and inserting “State, unit
4 of general local government, or Indian tribe (as such term
5 is defined in section 102 of the Housing and Community
6 Development Act of 1974 (42 U.S.C. 5302))”: *Provided*
7 *further*, That in administering the funds under this head-
8 ing, the Secretary of Housing and Urban Development
9 may waive, or specify alternative requirements for, any
10 provision of any statute or regulation that the Secretary
11 administers in connection with the obligation by the Sec-
12 retary or the use by the recipient of these funds (except
13 for requirements related to fair housing, nondiscrimina-
14 tion, labor standards, and the environment), if the Sec-
15 retary finds that good cause exists for the waiver or alter-
16 native requirement and such waiver or alternative require-
17 ment would not be inconsistent with the overall purpose
18 of title I of the Housing and Community Development Act
19 of 1974: *Provided further*, That, notwithstanding the pre-
20 ceding proviso, recipients of funds provided under this
21 heading that use such funds to supplement Federal assist-
22 ance provided under section 402, 403, 404, 406, 407,
23 408(c)(4), or 502 of the Robert T. Stafford Disaster Re-
24 lief and Emergency Assistance Act (42 U.S.C. 5121 et
25 seq.) may adopt, without review or public comment, any

1 environmental review, approval, or permit performed by
2 a Federal agency, and such adoption shall satisfy the re-
3 sponsibilities of the recipient with respect to such environ-
4 mental review, approval or permit: *Provided further*, That,
5 notwithstanding section 104(g)(2) of the Housing and
6 Community Development Act of 1974 (42 U.S.C.
7 5304(g)(2)), the Secretary may, upon receipt of a request
8 for release of funds and certification, immediately approve
9 the release of funds for an activity or project assisted
10 under this heading if the recipient has adopted an environ-
11 mental review, approval or permit under the preceding
12 proviso or the activity or project is categorically excluded
13 from review under the National Environmental Policy Act
14 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That
15 the Secretary shall publish via notice in the Federal Reg-
16 ister any waiver, or alternative requirement, to any statute
17 or regulation that the Secretary administers pursuant to
18 title I of the Housing and Community Development Act
19 of 1974 no later than 5 days before the effective date of
20 such waiver or alternative requirement: *Provided further*,
21 That the eighth proviso under this heading in the Supple-
22 mental Appropriations for Disaster Relief Requirements,
23 2017 (division B of Public Law 115–56) is amended by
24 inserting “408(c)(4),” after “407,”: *Provided further*,
25 That of the amounts made available under this heading,

1 up to \$10,000,000 shall be made available for capacity
2 building and technical assistance, including assistance on
3 contracting and procurement processes, to support States,
4 units of general local government, or Indian tribes (and
5 their subrecipients) that receive allocations pursuant to
6 this heading, received disaster recovery allocations under
7 the same heading in Public Law 115–56, or may receive
8 similar allocations for disaster recovery in future appro-
9 priations Acts: *Provided further*, That of the amounts
10 made available under this heading, up to \$10,000,000
11 shall be transferred, in aggregate, to “Department of
12 Housing and Urban Development—Program Office Sala-
13 ries and Expenses—Community Planning and Develop-
14 ment” for necessary costs, including information tech-
15 nology costs, of administering and overseeing the obliga-
16 tion and expenditure of amounts under this heading: *Pro-*
17 *vided further*, That the amount specified in the preceding
18 proviso shall be combined with funds appropriated under
19 the same heading and for the same purpose in Public Law
20 115–56 and the aggregate of such amounts shall be avail-
21 able for any of the purposes specified under this heading
22 or the same heading in Public Law 115–56 without limita-
23 tion: *Provided further*, That of the funds made available
24 under this heading, \$10,000,000 shall be transferred to
25 the Office of the Inspector General for necessary costs of

1 overseeing and auditing funds made available under this
2 heading: *Provided further*, That any funds made available
3 under this heading that remain available, after the other
4 funds under such heading have been allocated for nec-
5 essary expenses for activities authorized under such head-
6 ing, shall be used for additional activities, including miti-
7 gation, in the most impacted and distressed areas result-
8 ing from major disasters declared in 2011 and subsequent
9 years: *Provided further*, That such remaining funds shall
10 be awarded to grantees of funding provided for disaster
11 relief under this heading, the same heading in chapter 9
12 of title X of division A of Public Law 113–2, section 420
13 of division L of Public Law 114–113, section 145 of divi-
14 sion C of Public Law 114–223, section 192 of division C
15 of Public Law 114–223 (as added by section 101(3) of
16 division A of Public Law 114–254), section 421 of division
17 K of Public Law 115–31, and the same heading in division
18 B of Public Law 115–56, subject to the same terms and
19 conditions under this heading and such headings and sec-
20 tions respectively: *Provided further*, That each such grant-
21 ee shall receive an allocation from such remaining funds
22 in the same proportion that the amount of funds such
23 grantee received under the second proviso under this head-
24 ing and under the Acts specified in the previous proviso
25 bears to the amount of all funds provided to all grantees

1 specified in the previous proviso: *Provided further*, That
2 such amount 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 TITLE XII

7 GENERAL PROVISIONS—THIS DIVISION

8 SEC. 1201. Each amount appropriated or made avail-
9 able by this division is in addition to amounts otherwise
10 appropriated for the fiscal year involved.

11 SEC. 1202. No part of any appropriation contained
12 in this division shall remain available for obligation beyond
13 the current fiscal year unless expressly so provided herein.

14 SEC. 1203. Unless otherwise provided for by this divi-
15 sion, the additional amounts appropriated by this division
16 to appropriations accounts shall be available under the au-
17 thorities and conditions applicable to such appropriations
18 accounts for fiscal year 2018.

19 SEC. 1204. The terms and conditions applicable to
20 the funds provided in this division, including those pro-
21 vided by this title, shall also apply to the funds made avail-
22 able in division B of Public Law 115–56 and in division
23 A of Public Law 115–72.

24 SEC. 1205. Each amount designated in this division
25 by the Congress as being for an emergency requirement

1 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
2 et and Emergency Deficit Control Act of 1985 shall be
3 available only if the President subsequently so designates
4 all such amounts and transmits such designations to the
5 Congress.

6 SEC. 1206. (a) Section 305 of division A of the Addi-
7 tional Supplemental Appropriations for Disaster Relief
8 Requirements Act, 2017 (Public Law 115–72) is amend-
9 ed—

10 (1) in subsection (a)—

11 (A) by striking “(1) Not later than Decem-
12 ber 31, 2017,” and inserting “Not later than
13 March 31, 2018,”; and

14 (B) by striking paragraph (2); and

15 (2) in subsection (b), by striking “receiving
16 funds under this division” and inserting “expending
17 more than \$10,000,000 of funds provided by this di-
18 vision and division B of Public Law 115–56 in any
19 one fiscal year”.

20 (b) Section 305 of division A of the Additional Sup-
21 plemental Appropriations for Disaster Relief Require-
22 ments Act, 2017 (Public Law 115–72), as amended by
23 this section, shall apply to funds appropriated by this divi-
24 sion as if they had been appropriated by that division.

1 (c) In order to proactively prepare for oversight of
2 future disaster relief funding, not later than one year after
3 the date of enactment of this Act, the Director of the Of-
4 fice of Management and Budget shall issue standard guid-
5 ance for Federal agencies to use in designing internal con-
6 trol plans for disaster relief funding. This guidance shall
7 leverage existing internal control review processes and
8 shall include, at a minimum, the following elements:

9 (1) Robust criteria for identifying and documenting
10 incremental risks and mitigating controls related to the
11 funding.

12 (2) Guidance for documenting the linkage between
13 the incremental risks related to disaster funding and ef-
14 forts to address known internal control risks.

15 SEC. 1207. Any agency or department provided fund-
16 ing in excess of \$3,000,000,000 by this division, including
17 the Federal Emergency Management Agency, the Depart-
18 ment of Housing and Urban Development, and the Corps
19 of Engineers, is directed to provide a report to the Com-
20 mittee on Appropriations of the House of Representatives
21 regarding its efforts to provide adequate resources and
22 technical assistance for small, low-income communities af-
23 fected by natural disasters.

24 SEC. 1208. (a) Not later than 180 days after the date
25 of enactment of this Act and in coordination with the Ad-

1 administrator of the Federal Emergency Management Agen-
2 cy, with support and contributions from the Secretary of
3 the Treasury, the Secretary of Energy, and other Federal
4 agencies having responsibilities defined under the National
5 Disaster Recovery Framework, the Governor of the Com-
6 monwealth of Puerto Rico shall submit to Congress a re-
7 port describing the Commonwealth's 12- and 24-month
8 economic and disaster recovery plan that—

9 (1) defines the priorities, goals, and expected
10 outcomes of the recovery effort for the Common-
11 wealth, based on damage assessments prepared pur-
12 suant to Federal law, if applicable, including—

13 (A) housing;

14 (B) economic issues, including workforce
15 development and industry expansion and cul-
16 tivation;

17 (C) health and social services;

18 (D) natural and cultural resources;

19 (E) governance and civic institutions;

20 (F) electric power systems and grid res-
21 toration;

22 (G) environmental issues, including solid
23 waste facilities; and

24 (H) other infrastructure systems, including
25 repair, restoration, replacement, and improve-

1 ment of public infrastructure such water and
2 wastewater treatment facilities, communications
3 networks, and transportation infrastructure;

4 (2) is consistent with—

5 (A) the Commonwealth’s fiscal capacity to
6 provide long-term operation and maintenance of
7 rebuilt or replaced assets;

8 (B) alternative procedures and associated
9 programmatic guidance adopted by the Admin-
10 istrator of the Federal Emergency Management
11 Administration pursuant to section 428 of the
12 Robert T. Stafford Disaster Relief and Emer-
13 gency Assistance Act (42 U.S.C. 5189f); and

14 (C) actions as may be necessary to miti-
15 gate vulnerabilities to future extreme weather
16 events and natural disasters and increase com-
17 munity resilience, including encouraging the
18 adoption and enforcement of the latest pub-
19 lished editions of relevant consensus-based
20 codes, specifications, and standards that incor-
21 porate the latest hazard-resistant designs and
22 establish minimum acceptable criteria for the
23 design, construction, and maintenance of resi-
24 dential structures and facilities for the purpose

1 of protecting the health, safety, and general
2 welfare of the buildings' users against disasters;

3 (3) promotes transparency and accountability
4 through appropriate public notification, outreach,
5 and hearings;

6 (4) identifies performance metrics for assessing
7 and reporting on the progress toward achieving the
8 Commonwealth's recovery goals, as identified under
9 paragraph (1);

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

12 (6) is certified by that Oversight Board to be
13 consistent with the purpose set forth in section
14 101(a) of PROMESA (48 U.S.C. 2121(a)).

15 (b) At the end of every 30-day period before the sub-
16 mission of the report described in subsection (a), the Gov-
17 ernor of the Commonwealth of Puerto Rico, in coordina-
18 tion with the Administrator of the Federal Emergency
19 Management Agency, shall provide to Congress interim
20 status updates on progress developing such report.

21 (c) At the end of every 180-day period after the sub-
22 mission of the report described in subsection (a), the Gov-
23 ernor of the Commonwealth of Puerto Rico, in coordina-
24 tion with the Administrator of the Federal Emergency

1 Management Agency, shall make public a report on
2 progress achieving the goals set forth in such report.

3 (d) During the development, and after the submis-
4 sion, of the report require by in subsection (a), the Over-
5 sight Board may provide to Congress reports on the status
6 of coordination with the Governor of Puerto Rico.

7 (e) Amounts made available by this division to a cov-
8 ered territory for response to or recovery from Hurricane
9 Irma or Hurricane Maria in an aggregate amount greater
10 than \$10,000,000 may be reviewed by the Oversight
11 Board under the Oversight Board's authority under
12 204(b)(2) of PROMESA (48 U.S.C. 2144(b)(2)).

13 (f) When developing a Fiscal Plan while the recovery
14 plan required under subsection (a) is in development and
15 in effect, the Oversight Board shall use and incorporate,
16 to the greatest extent feasible, damage assessments pre-
17 pared pursuant to Federal law.

18 (g) For purposes of this section, the terms "covered
19 territory" and "Oversight Board" have the meaning given
20 those term in section 5 of PROMESA (48 U.S.C. 2104).

21 This division may be cited as the "Further Additional
22 Supplemental Appropriations for Disaster Relief Require-
23 ments, 2017".

DIVISION B—DISASTER RECOVERY REFORM ACT

- Sec. 2001. Applicability.
- Sec. 2002. State defined.
- Sec. 2003. Wildfire prevention.
- Sec. 2004. Additional activities.
- Sec. 2005. Eligibility for code implementation and enforcement.
- Sec. 2006. Program improvements.
- Sec. 2007. Prioritization of facilities.
- Sec. 2008. Guidance on evacuation routes.
- Sec. 2009. Duplication of benefits.
- Sec. 2010. State administration of assistance for direct temporary housing and permanent housing construction.
- Sec. 2011. Assistance to individuals and households.
- Sec. 2012. Multifamily lease and repair assistance.
- Sec. 2013. Federal disaster assistance nonprofit fairness.
- Sec. 2014. Management costs.
- Sec. 2015. Flexibility.
- Sec. 2016. Additional disaster assistance.
- Sec. 2017. National veterinary emergency teams.
- Sec. 2018. Dispute resolution pilot program.
- Sec. 2019. Emergency relief.
- Sec. 2020. Unified Federal environmental and historic preservation review.
- Sec. 2021. Closeout incentives.
- Sec. 2022. Performance of services.
- Sec. 2023. Study to streamline and consolidate information collection.
- Sec. 2024. Agency accountability.
- Sec. 2025. Audit of contracts.
- Sec. 2026. Inspector general audit of FEMA contracts for tarps and plastic sheeting.
- Sec. 2027. Relief organizations.
- Sec. 2028. Guidance on inundated and submerged roads.
- Sec. 2029. Authorities.
- Sec. 2030. Recoupment of certain assistance prohibited.
- Sec. 2031. Statute of limitations.
- Sec. 2032. Technical assistance and recommendations.
- Sec. 2033. Guidance on hazard mitigation assistance.
- Sec. 2034. Local impact.
- Sec. 2035. Additional hazard mitigation activities.
- Sec. 2036. National public infrastructure predisaster hazard mitigation.
- Sec. 2037. Additional mitigation activities.
- Sec. 2038. Federal cost-share adjustments for repair, restoration, and replacement of damaged facilities.

4 **SEC. 2001. APPLICABILITY.**

5 Except as otherwise expressly provided, the amend-
6 ments in this division to the Robert T. Stafford Disaster

1 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
2 seq.) apply to each major disaster and emergency declared
3 by the President on or after August 1, 2017, under such
4 Act.

5 **SEC. 2002. STATE DEFINED.**

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

10 **SEC. 2003. WILDFIRE PREVENTION.**

11 (a) MITIGATION ASSISTANCE.—Section 420 of the
12 Robert T. Stafford Disaster Relief and Emergency Assist-
13 ance Act (42 U.S.C. 5187) is amended—

14 (1) by redesignating subsection (d) as sub-
15 section (e); and

16 (2) by inserting after subsection (c) the fol-
17 lowing:

18 “(d) HAZARD MITIGATION ASSISTANCE.—Whether
19 or not a major disaster is declared, the President may pro-
20 vide hazard mitigation assistance in accordance with sec-
21 tion 404 in any area affected by a fire for which assistance
22 was provided under this section.”.

23 (b) CONFORMING AMENDMENTS.—The Robert T.
24 Stafford Disaster Relief and Emergency Assistance Act
25 (42 U.S.C. 5121 et seq.) is amended—

1 (1) in section 404(a) (42 U.S.C. 5170c(a)) (as
2 amended by section 37(a) of this Act)—

3 (A) by inserting before the first period “,
4 or any area affected by a fire for which assist-
5 ance was provided under section 420”; and

6 (B) in the third sentence by inserting “or
7 event under section 420” after “major disaster”
8 each place it appears; and

9 (2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)),
10 by inserting “or event under section 420” after
11 “major disaster” each place it appears.

12 (c) REPORTING REQUIREMENT.—Not later than 1
13 year after the date of enactment of this Act and annually
14 thereafter, the Administrator of the Federal Emergency
15 Management Agency shall submit to the Committee on
16 Homeland Security and Governmental Affairs of the Sen-
17 ate, the Committee on Transportation and Infrastructure
18 of the House of Representatives, and the Appropriations
19 Committees of the Senate and the House of Representa-
20 tives a report containing a summary of any projects car-
21 ried out, and any funding provided to those projects,
22 under subsection (d) of section 420 of the Robert T. Staf-
23 ford Disaster Relief and Emergency Assistance Act (42
24 U.S.C. 5187) (as amended by this section).

1 **SEC. 2004. ADDITIONAL ACTIVITIES.**

2 Section 404 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5170c) is
4 amended by adding at the end the following:

5 “(f) USE OF ASSISTANCE.—Recipients of hazard
6 mitigation assistance provided under this section and sec-
7 tion 203 may use the assistance to conduct activities to
8 help reduce the risk of future damage, hardship, loss, or
9 suffering in any area affected by a wildfire or windstorm,
10 including—

11 “(1) reseedling ground cover with quick-growing
12 or native species;

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

14 “(3) constructing straw, rock, or log dams in
15 small tributaries to prevent flooding;

16 “(4) placing logs and other erosion barriers to
17 catch sediment on hill slopes;

18 “(5) installing debris traps to modify road and
19 trail drainage mechanisms;

20 “(6) modifying or removing culverts to allow
21 drainage to flow freely;

22 “(7) adding drainage dips and constructing
23 emergency spillways to keep roads and bridges from
24 washing out during floods;

25 “(8) planting grass to prevent the spread of
26 noxious weeds;

- 1 “(9) installing warning signs;
- 2 “(10) establishing defensible space measures;
- 3 “(11) reducing hazardous fuels; and
- 4 “(12) windstorm damage, including replacing or
- 5 installing electrical transmission or distribution util-
- 6 ity pole structures with poles that are resilient to ex-
- 7 treme wind and combined ice and wind loadings for
- 8 the basic wind speeds and ice conditions associated
- 9 with the relevant location.”.

10 **SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND**
11 **ENFORCEMENT.**

12 Section 406(a)(2) of the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act (42 U.S.C.
14 5172(a)(2)) is amended—

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

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

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

20 “(D) base and overtime wages for extra
21 hires to facilitate the implementation and en-
22 forcement of adopted building codes for a pe-
23 riod of not more than 180 days after the major
24 disaster is declared.”.

1 **SEC. 2006. PROGRAM IMPROVEMENTS.**

2 (a) HAZARD MITIGATION.—Section 406(c) of the
3 Robert T. Stafford Disaster Relief and Emergency Assist-
4 ance Act (42 U.S.C. 5172(c)) is amended—

5 (1) in paragraph (1)(A), by striking “90 per-
6 cent of”; and

7 (2) in paragraph (2)(A), by striking “75 per-
8 cent of”.

9 (b) PARTICIPATION.—Section 428(d) of such Act (42
10 U.S.C. 5189f) is amended—

11 (1) by inserting “(1) IN GENERAL.—” before
12 “Participation in”; and

13 (2) by adding at the end the following:

14 “(2) NO CONDITIONS.—The President may not
15 condition the provision of Federal assistance under
16 this Act on the election by a State, Tribal, or local
17 government, or owner or operator of a private non-
18 profit facility to participate in the alternative proce-
19 dures adopted under this section.”.

20 (c) CERTIFICATION.—Section 428(e)(1) of such Act
21 (42 U.S.C. 5189f(e)(1)) is amended—

22 (1) in subparagraph (E), by striking “and” at
23 the end;

24 (2) in subparagraph (F), by striking the period
25 and inserting “; and”; and

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

1 “(G) once certified by a professionally li-
2 censed engineer and accepted by the Adminis-
3 trator, the estimates on which grants made pur-
4 suant to this section are based shall be pre-
5 sumed to be reasonable and eligible costs, as
6 long as there is no evidence of fraud.”.

7 **SEC. 2007. PRIORITIZATION OF FACILITIES.**

8 Not later than 180 days after the date of enactment
9 of this Act, the Administrator of the Federal Emergency
10 Management Agency shall provide guidance and training
11 on an annual basis to State, Tribal, and local govern-
12 ments, first responders, and utility companies on—

13 (1) the need to prioritize assistance to hospitals,
14 nursing homes, and other long-term care facilities to
15 ensure that such health care facilities remain func-
16 tioning or return to functioning as soon as prac-
17 ticable during power outages caused by natural haz-
18 ards, including severe weather events; and

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

23 **SEC. 2008. GUIDANCE ON EVACUATION ROUTES.**

24 (a) IN GENERAL.—

1 (1) IDENTIFICATION.—The Administrator of
2 the Federal Emergency Management Agency, in co-
3 ordination with the Administrator of the Federal
4 Highway Administration, shall develop and issue
5 guidance for State, local, and Tribal governments re-
6 garding the identification of evacuation routes.

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

15 (b) CONSIDERATIONS.—

16 (1) IDENTIFICATION.—In developing the guid-
17 ance under subsection (a)(1), the Administrator of
18 the Federal Emergency Management Agency shall
19 consider—

20 (A) whether evacuation routes have re-
21 sisted impacts and recovered quickly from dis-
22 asters, regardless of cause;

23 (B) the need to evacuate special needs pop-
24 ulations, including—

1 (i) individuals with a physical or men-
2 tal disability;

3 (ii) individuals in schools, daycare
4 centers, mobile home parks, prisons, nurs-
5 ing homes and other long-term care facili-
6 ties, and detention centers;

7 (iii) individuals with limited-English
8 proficiency;

9 (iv) the elderly; and

10 (v) individuals who are tourists, sea-
11 sonal workers, or homeless;

12 (C) the sharing of information and other
13 public communications with evacuees during
14 evacuations;

15 (D) the sheltering of evacuees, including
16 the care, protection, and sheltering of animals;

17 (E) the return of evacuees to their homes;
18 and

19 (F) such other items the Administrator
20 considers appropriate.

21 (2) DESIGN, CONSTRUCTION, MAINTENANCE,
22 AND REPAIR.—In revising or issuing guidance under
23 (a)(2), the Administrator of the Federal Highway
24 Administration shall consider—

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

21 **SEC. 2009. DUPLICATION OF BENEFITS.**

22 (a) IN GENERAL.—Section 312(b) of the Robert T.
23 Stafford Disaster Relief and Emergency Assistance Act
24 (42 U.S.C. 5155(b)) is amended by adding at the end the
25 following:

1 “(4) WAIVER OF GENERAL PROHIBITION.—

2 “(A) IN GENERAL.—The President may
3 waive the general prohibition provided in sub-
4 section (a) upon request of a Governor on be-
5 half of the State or on behalf of a person, busi-
6 ness concern, or any other entity suffering
7 losses as a result of a major disaster or emer-
8 gency, if the President finds such waiver is in
9 the public interest and will not result in waste,
10 fraud, or abuse. In making this decision, the
11 President may consider the following:

12 “(i) The recommendations of the Ad-
13 ministrator of the Federal Emergency
14 Management Agency made in consultation
15 with the Federal agency or agencies ad-
16 ministering the duplicative program.

17 “(ii) If a waiver is granted, the assist-
18 ance to be funded is cost effective.

19 “(iii) Equity and good conscience.

20 “(iv) Other matters of public policy
21 considered appropriate by the President.

22 “(B) GRANT OR DENIAL OF WAIVER.—A
23 request under subparagraph (A) shall be grant-
24 ed or denied not later than 45 days after sub-
25 mission of such request.

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

9 (b) FUNDING OF A FEDERALLY AUTHORIZED WATER
10 RESOURCES DEVELOPMENT PROJECT.—

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

21 (2) FEDERAL FUNDING.—All Federal funding
22 provided under section 404 pursuant to this section
23 shall be applied toward the Federal share of such
24 project.

1 (3) NON-FEDERAL MATCH.—All non-Federal
2 matching funds required under section 404 pursuant
3 to this section shall be applied toward the non-Fed-
4 eral share of such project.

5 (4) TOTAL FEDERAL SHARE.—Funding pro-
6 vided under section 404 pursuant to this section
7 may not exceed the total Federal share for such
8 project.

9 (5) NO EFFECT.—Nothing in this section
10 shall—

11 (A) affect the cost-share requirement of a
12 hazard mitigation measure under section 404;

13 (B) affect the eligibility criteria for a haz-
14 ard mitigation measure under section 404;

15 (C) affect the cost share requirements of a
16 federally authorized water resources develop-
17 ment project; and

18 (D) affect the responsibilities of a non-
19 Federal interest with respect to the project, in-
20 cluding those related to the provision of lands,
21 easements, rights-of-way, dredge material dis-
22 posal areas, and necessary relocations.

23 (c) APPLICABILITY.—This section shall apply to each
24 disaster and emergency declared pursuant to the Robert

1 T. Stafford Disaster Relief and Emergency Assistance Act
 2 (42 U.S.C. 5121 et seq.) after January 1, 2016.

3 **SEC. 2010. STATE ADMINISTRATION OF ASSISTANCE FOR**
 4 **DIRECT TEMPORARY HOUSING AND PERMA-**
 5 **NENT HOUSING CONSTRUCTION.**

6 Section 408(f) of the Robert T. Stafford Disaster Re-
 7 lief and Emergency Assistance Act (42 U.S.C. 5174(f))
 8 is amended—

9 (1) in paragraph (1), by striking the paragraph
 10 heading and inserting “STATE- OR TRIBAL-ADMINIS-
 11 TERED ASSISTANCE AND OTHER NEEDS ASSIST-
 12 ANCE.—”;

13 (2) in paragraph (1)(A)—

14 (A) by striking “financial”; and

15 (B) by striking “subsection (e)” and in-
 16 serting “subsections (c)(1)(B), (c)(4), and (e) if
 17 the President and the State or Tribal govern-
 18 ment comply, as determined by the Adminis-
 19 trator, with paragraph (3)”;

20 (3) in paragraph (1)(B)—

21 (A) by striking “financial”; and

22 (B) by striking “subsection (e)” and in-
 23 serting “subsections (c)(1)(B), (c)(4), and (e)”;

24 and

25 (4) by adding at the end the following:

1 “(3) IN GENERAL.—

2 “(A) APPLICATION.—A State or Tribal
3 government desiring to provide assistance under
4 subsection (c)(1)(B), (c)(4), or (e) shall submit
5 to the President an application for a grant to
6 provide financial assistance under the program.

7 “(B) CRITERIA.—The President, in con-
8 sultation and coordination with State, Tribal,
9 and local governments, shall establish criteria
10 for the approval of applications submitted
11 under subparagraph (A). The criteria shall in-
12 clude, at a minimum—

13 “(i) the demonstrated ability of the
14 State or Tribal government to manage the
15 program under this section;

16 “(ii) there being in effect a plan ap-
17 proved by the President as to how the
18 State or Tribal government will comply
19 with applicable Federal laws and regula-
20 tions and how the State or Tribal govern-
21 ment will provide assistance under its plan;

22 “(iii) a requirement that the State,
23 Tribal, or local government comply with
24 rules and regulations established pursuant
25 to subsection (j); and

1 “(iv) a requirement that the Presi-
2 dent, or the designee of the President,
3 comply with subsection (i).

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

23 “(D) AUDITS.—The Office of the inspector
24 general shall provide for periodic audits of the

1 programs administered by States and Tribal
2 governments under this subsection.

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

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

23 “(i) whether the State or Tribal gov-
24 ernment’s role helped to improve the gen-
25 eral speed of disaster recovery;

1 “(ii) whether the State or Tribal gov-
2 ernment providing assistance under this
3 section had the capacity to administer this
4 section; and

5 “(iii) recommendations for changes to
6 improve the program if the State or Tribal
7 government’s role to administer the pro-
8 grams should be continued.

9 “(G) PROHIBITION.—The President may
10 not condition the provision of Federal assist-
11 ance under this Act by a State or Tribal gov-
12 ernment requesting a grant under this section.

13 “(H) MISCELLANEOUS.—

14 “(i) NOTICE AND COMMENT.—The
15 Administrator may waive notice and com-
16 ment rulemaking, if the Administrator de-
17 termines doing so is necessary to expedi-
18 tiously implement this section, and may
19 carry out this section as a pilot program
20 until such regulations are promulgated.

21 “(ii) FINAL RULE.—Not later than 2
22 years after the date of enactment of this
23 paragraph, the Administrator shall issue
24 final regulations to implement this sub-

1 section as amended by the Disaster Recov-
2 ery Reform Act.

3 “(iii) WAIVER AND EXPIRATION.—The
4 authority under clause (i) and any pilot
5 program implemented pursuant to such
6 clause shall expire 2 years after the date of
7 enactment of this paragraph or upon
8 issuance of final regulations pursuant to
9 clause (ii), whichever occurs sooner.”.

10 **SEC. 2011. ASSISTANCE TO INDIVIDUALS AND HOUSE-**
11 **HOLDS.**

12 Section 408(h) of the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act (42 U.S.C. 5174(h))
14 is amended—

15 (1) in paragraph (1), by inserting “, excluding
16 financial assistance to rent alternate housing accom-
17 modations under subsection (c)(1)(A)(i) and finan-
18 cial assistance to address other needs under sub-
19 section (e)” after “disaster”;

20 (2) by redesignating paragraph (2) as para-
21 graph (3);

22 (3) by inserting after paragraph (1) the fol-
23 lowing:

24 “(2) OTHER NEEDS ASSISTANCE.—The max-
25 imum financial assistance any individual or house-

1 hold may receive under subsection (e) shall be equiv-
 2 alent to the amount set forth in paragraph (1) with
 3 respect to a single major disaster.”;

4 (4) in paragraph (3) (as so redesignated), by
 5 striking “paragraph (1)” and inserting “paragraphs
 6 (1) and (2)”;

7 (5) by inserting after paragraph (3) (as so re-
 8 designated) the following:

9 “(4) EXCLUSION OF NECESSARY EXPENSES FOR
 10 INDIVIDUALS WITH DISABILITIES.—

11 “(A) The maximum amount of assistance
 12 established under paragraph (1) shall exclude
 13 expenses to repair or replace damaged accessi-
 14 bility-related improvements under paragraphs
 15 (2), (3), and (4) of subsection (c) for individ-
 16 uals with disabilities.

17 “(B) The maximum amount of assistance
 18 established under paragraph (2) shall exclude
 19 expenses to repair or replace accessibility-re-
 20 lated personal property under subsection (e)(2)
 21 for individuals with disabilities.”.

22 **SEC. 2012. MULTIFAMILY LEASE AND REPAIR ASSISTANCE.**

23 (a) LEASE AND REPAIR OF RENTAL UNITS FOR
 24 TEMPORARY HOUSING.—Section 408(c)(1)(B)(ii)(II) of
 25 the Robert T. Stafford Disaster Relief and Emergency As-

1 sistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(II)) is amended
2 to read as follows:

3 “(II) IMPROVEMENTS OR RE-
4 PAIRS.—Under the terms of any lease
5 agreement for property entered into
6 under this subsection, the value of the
7 improvements or repairs shall be de-
8 ducted from the value of the lease
9 agreement.”.

10 (b) RENTAL PROPERTIES IMPACTED.—Section
11 408(c)(1)(B)(ii)(I)(aa) of the Robert T. Stafford Disaster
12 Relief and Emergency Assistance Act (42 U.S.C.
13 5174(c)(1)(B)(ii)(I)(aa)) is amended to read as follows:

14 “(aa) enter into lease agree-
15 ments with owners of multifamily
16 rental property impacted by a
17 major disaster or located in areas
18 covered by a major disaster dec-
19 laration to house individuals and
20 households eligible for assistance
21 under this section; and”.

22 (c) INSPECTOR GENERAL REPORT.—Not later than
23 2 years after the date of the enactment of this Act, the
24 inspector general of the Department of Homeland Security
25 shall assess the use of the authority provided under section

1 408(c)(1)(B) of the Robert T. Stafford Disaster Relief
2 and Emergency Assistance Act (42 U.S.C.
3 5174(c)(1)(B)), including the adequacy of any benefit-cost
4 analysis done to justify the use of this alternative, and
5 submit a report on the results of that review to the appro-
6 priate committees of Congress.

7 **SEC. 2013. FEDERAL DISASTER ASSISTANCE NONPROFIT**
8 **FAIRNESS.**

9 (a) DEFINITION OF PRIVATE NONPROFIT FACIL-
10 ITY.—Section 102(11)(B) of the Robert T. Stafford Dis-
11 aster Relief and Emergency Assistance Act (42 U.S.C.
12 5122(11)(B)) is amended to read as follows:

13 “(B) ADDITIONAL FACILITIES.—In addi-
14 tion to the facilities described in subparagraph
15 (A), the term ‘private nonprofit facility’ in-
16 cludes any private nonprofit facility that pro-
17 vides essential services of a governmental na-
18 ture to the general public (including museums,
19 zoos, performing arts facilities, community arts
20 centers, community centers, houses of worship
21 exempt from taxation under section 501(c) of
22 the Internal Revenue Code of 1986, libraries,
23 homeless shelters, senior citizen centers, reha-
24 bilitation facilities, shelter workshops, food
25 banks, broadcasting facilities, and facilities that

1 provide health and safety services of a govern-
2 mental nature), as defined by the President.”.

3 (b) REPAIR, RESTORATION, AND REPLACEMENT OF
4 DAMAGED FACILITIES.—Section 406(a)(3) of the Robert
5 T. Stafford Disaster Relief and Emergency Assistance Act
6 (42 U.S.C. 5172(a)(3)) is amended by adding at the end
7 the following:

8 “(C) HOUSES OF WORSHIP.—

9 “(i) IN GENERAL.—A church, syna-
10 gogue, mosque, temple, or other house of
11 worship, and a private nonprofit facility
12 operated by a religious organization, shall
13 be eligible for contributions under para-
14 graph (1)(B) (subject to paragraph
15 (3)(A)), without regard to the religious
16 character of the facility or the primary re-
17 ligious use of the facility.

18 “(ii) LIMITATIONS.—Notwithstanding
19 clause (i), in spaces dedicated to or pri-
20 marily used for religious purposes, con-
21 tributions under paragraph (1)(B) shall
22 only be used to cover costs of purchasing
23 or replacing, without limitation, the build-
24 ing structure, building enclosure compo-
25 nents, building envelope, vertical and hori-

1 zontal circulation, physical plant support
2 spaces, electrical, plumbing, and mechan-
3 ical systems (including heating, ventilation,
4 air-conditioning, and fire and life safety
5 systems), and related site improvements.”.

6 (c) **APPLICABILITY.**—This section and the amend-
7 ments made by this section shall apply to the provision
8 of assistance in response to a major disaster or emergency
9 declared on or after October 28, 2012.

10 **SEC. 2014. MANAGEMENT COSTS.**

11 Section 324 of the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C. 5165b) is
13 amended—

14 (1) in subsection (a) by striking “any adminis-
15 trative expense, and any other expense not directly
16 chargeable to” and inserting “direct administrative
17 cost, and any other administrative expense associ-
18 ated with”; and

19 (2) in subsection (b)—

20 (A) by striking “Notwithstanding” and in-
21 serting the following:

22 “(1) **IN GENERAL.**—Notwithstanding”;

23 (B) by striking “establish” and inserting
24 the following: “implement”; and

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

1 “(2) SPECIFIC MANAGEMENT COSTS.—The Ad-
2 ministrators shall provide the following percentage
3 rates, in addition to the eligible project costs, to
4 cover direct and indirect costs of administering the
5 following programs:

6 “(A) HAZARD MITIGATION.—A grantee
7 under section 404 may be reimbursed not more
8 than 15 percent of the total amount of the
9 grant award under such section of which not
10 more than 10 percent may be used by the
11 grantee and 5 percent by the subgrantee for
12 such costs.

13 “(B) PUBLIC ASSISTANCE.—A grantee
14 under sections 403, 406, 407, and 502 may be
15 reimbursed not more than 12 percent of the
16 total award amount under such sections, of
17 which not more than 7 percent may be used by
18 the grantee and 5 percent by the subgrantee for
19 such costs.”.

20 **SEC. 2015. FLEXIBILITY.**

21 (a) DEFINITION.—In this section, the term “covered
22 assistance” means assistance provided—

23 (1) under section 408 of the Robert T. Stafford
24 Disaster Relief and Emergency Assistance Act (42
25 U.S.C. 5174); and

1 (2) in relation to a major disaster or emergency
2 declared by the President under section 401 or 501
3 of the Robert T. Stafford Disaster Relief and Emer-
4 gency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
5 5191) on or after October 28, 2012.

6 (b) WAIVER AUTHORITY.—Notwithstanding section
7 3716(e) of title 31, United States Code, the Administrator
8 of the Federal Emergency Management Agency—

9 (1) subject to paragraph (2), may waive a debt
10 owed to the United States related to covered assist-
11 ance provided to an individual or household if—

12 (A) the covered assistance was distributed
13 based on an error by the Federal Emergency
14 Management Agency;

15 (B) there was no fault on behalf of the
16 debtor; and

17 (C) the collection of the debt would be
18 against equity and good conscience; and

19 (2) may not waive a debt under paragraph (1)
20 if the debt involves fraud, the presentation of a false
21 claim, or misrepresentation by the debtor or any
22 party having an interest in the claim.

23 (c) MONITORING OF COVERED ASSISTANCE DISTRIB-
24 UTED BASED ON ERROR.—

1 (1) IN GENERAL.—The inspector general of the
2 Department of Homeland Security shall monitor the
3 distribution of covered assistance to individuals and
4 households to determine the percentage of such as-
5 sistance distributed based on an error.

6 (2) REMOVAL OF WAIVER AUTHORITY BASED
7 ON EXCESSIVE ERROR RATE.—If the inspector gen-
8 eral determines, with respect to any 12-month pe-
9 riod, that the amount of covered assistance distrib-
10 uted based on an error by the Federal Emergency
11 Management Agency exceeds 4 percent of the total
12 amount of covered assistance distributed—

13 (A) the inspector general shall notify the
14 Administrator and publish the determination in
15 the Federal Register; and

16 (B) with respect to any major disaster or
17 emergency declared by the President under sec-
18 tion 401 or section 501, respectively, of the
19 Robert T. Stafford Disaster Relief and Emer-
20 gency Assistance Act (42 U.S.C. 5170; 42
21 U.S.C. 5191) after the date on which the deter-
22 mination is published under subparagraph (A),
23 the authority of the Administrator to waive
24 debt under subsection (b) shall no longer be ef-
25 fective.

1 **SEC. 2016. ADDITIONAL DISASTER ASSISTANCE.**

2 (a) **DISASTER MITIGATION.**—Section 209 of the Pub-
3 lic Works and Economic Development Act of 1965 (42
4 U.S.C. 3149) is amended by adding at the end the fol-
5 lowing:

6 “(e) **DISASTER MITIGATION.**—In providing assist-
7 ance pursuant to subsection (c)(2), if appropriate and as
8 applicable, the Secretary may encourage hazard mitigation
9 in assistance provided pursuant to such subsection.”.

10 (b) **EMERGENCY MANAGEMENT ASSISTANCE COM-**
11 **PACT GRANTS.**—Section 661(d) of the Post-Katrina
12 Emergency Management Reform Act of 2006 (6 U.S.C.
13 761(d)) is amended by striking “for fiscal year 2008” and
14 inserting “for each of fiscal years 2018 through 2022”.

15 (c) **EMERGENCY MANAGEMENT PERFORMANCE**
16 **GRANTS PROGRAM.**—Section 662(f) of the Post-Katrina
17 Emergency Management Reform Act of 2006 (6 U.S.C.
18 762(f)) is amended by striking “the program” and all that
19 follows through “2012” and inserting “the program, for
20 each of fiscal years 2018 through 2022”.

21 (d) **TECHNICAL AMENDMENT.**—Section 403(a)(3) of
22 the Robert T. Stafford Disaster Relief and Emergency As-
23 sistance Act (42 U.S.C. 5170b(a)(3)) is amended by strik-
24 ing the second subparagraph (J).

1 **SEC. 2017. NATIONAL VETERINARY EMERGENCY TEAMS.**

2 (a) IN GENERAL.—The Administrator of the Federal
3 Emergency Management Agency may establish one or
4 more national veterinary emergency teams at accredited
5 colleges of veterinary medicine.

6 (b) RESPONSIBILITIES.—A national veterinary emer-
7 gency team shall—

8 (1) deploy with a team of the National Urban
9 Search and Rescue Response System to assist
10 with—

11 (A) veterinary care of canine search teams;

12 (B) locating and treating companion ani-
13 mals, service animals, livestock, and other ani-
14 mals; and

15 (C) surveillance and treatment of zoonotic
16 diseases;

17 (2) recruit, train, and certify veterinary profes-
18 sionals, including veterinary students, in accordance
19 with an established set of plans and standard oper-
20 ating guidelines to carry out the duties associated
21 with planning for and responding to emergencies as
22 described in paragraph (1);

23 (3) assist State, Tribal, and local governments
24 and nonprofit organizations in developing emergency
25 management and evacuation plans that account for
26 the care and rescue of animals and in improving

1 local readiness for providing veterinary medical re-
2 sponse during a disaster; and

3 (4) coordinate with the Department of Home-
4 land Security, the Department of Health and
5 Human Services, the Department of Agriculture,
6 State, Tribal, and local governments (including de-
7 partments of animal and human health), veterinary
8 and health care professionals, and volunteers.

9 **SEC. 2018. DISPUTE RESOLUTION PILOT PROGRAM.**

10 Section 1105(c) of the Sandy Recovery Improvement
11 Act of 2013 (42 U.S.C. 5189a note) is amended by strik-
12 ing “2015” and inserting “2022”.

13 **SEC. 2019. EMERGENCY RELIEF.**

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

20 **SEC. 2020. UNIFIED FEDERAL ENVIRONMENTAL AND HIS-**
21 **TORIC PRESERVATION REVIEW.**

22 (a) REVIEW AND ANALYSIS.—Not later than 180
23 days after the date of enactment of this Act, the Adminis-
24 trator of the Federal Emergency Management Agency
25 shall review the Unified Federal Environmental and His-

1 toric Preservation review process established pursuant to
2 section 429 of the Robert T. Stafford Disaster Relief and
3 Emergency Assistance Act (42 U.S.C. 5189g), and submit
4 a report to the Committee on Transportation and Infra-
5 structure of the House of Representatives and the Com-
6 mittee on Homeland Security and Governmental Affairs
7 of the Senate that includes the following:

8 (1) An analysis of whether and how the unified
9 process has expedited the interagency review process
10 to ensure compliance with the environmental and
11 historic requirements under Federal law relating to
12 disaster recovery projects.

13 (2) A survey and analysis of categorical exclu-
14 sions used by other Federal agencies that may be
15 applicable to any activity related to a Presidentially
16 declared major disaster or emergency under such
17 Act.

18 (3) Recommendations on any further actions,
19 including any legislative proposals, needed to expe-
20 dite and streamline the review process.

21 (b) REGULATIONS.—After completing the review,
22 survey, and analyses under subsection (a), but not later
23 than 2 years after the date of enactment of this Act, and
24 after providing notice and opportunity for public comment,
25 the Administrator shall issue regulations to implement any

1 regulatory recommendations, including any categorical ex-
2 clusions identified under subsection (a), to the extent that
3 the categorical exclusions meet the criteria for a categor-
4 ical exclusion under section 1508.4 of title 40, Code of
5 Federal Regulations, and section II of DHS Instruction
6 Manual 023-01-001-01.

7 **SEC. 2021. CLOSEOUT INCENTIVES.**

8 (a) **FACILITATING CLOSEOUT.**—Section 705 of the
9 Robert T. Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5205) is amended by adding at the
11 end the following:

12 “(d) **FACILITATING CLOSEOUT.**—

13 “(1) **INCENTIVES.**—The Administrator may de-
14 velop incentives and penalties that encourage State,
15 Tribal, or local governments to close out expendi-
16 tures and activities on a timely basis related to dis-
17 aster or emergency assistance.

18 “(2) **AGENCY REQUIREMENTS.**—The Agency
19 shall, consistent with applicable regulations and re-
20 quired procedures, meet its responsibilities to im-
21 prove closeout practices and reduce the time to close
22 disaster program awards.”.

23 (b) **REGULATIONS.**—The Administrator shall issue
24 regulations to implement this section.

1 **SEC. 2022. PERFORMANCE OF SERVICES.**

2 Section 306 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5149) is
4 amended by adding at the end the following:

5 “(c) The Administrator of the Federal Emergency
6 Management Agency is authorized to appoint temporary
7 personnel, after serving continuously for 3 years, to posi-
8 tions in the Agency in the same manner that competitive
9 service employees with competitive status are considered
10 for transfer, reassignment, or promotion to such positions.
11 An individual appointed under this subsection shall be-
12 come a career-conditional employee, unless the employee
13 has already completed the service requirements for career
14 tenure.”.

15 **SEC. 2023. STUDY TO STREAMLINE AND CONSOLIDATE IN-**
16 **FORMATION COLLECTION.**

17 Not later than 1 year after the date of enactment
18 of this Act, the Administrator of the Federal Emergency
19 Management Agency shall—

20 (1) in coordination with the Small Business Ad-
21 ministration, the Department of Housing and Urban
22 Development, and other appropriate agencies, con-
23 duct a study and develop a plan, consistent with law,
24 under which the collection of information from dis-
25 aster assistance applicants and grantees will be
26 modified, streamlined, expedited, efficient, flexible,

1 consolidated, and simplified to be less burdensome,
2 duplicative, and time consuming for applicants and
3 grantees;

4 (2) in coordination with the Small Business Ad-
5 ministration, the Department of Housing and Urban
6 Development, and other appropriate agencies, de-
7 velop a plan for the regular collection and reporting
8 of information on Federal disaster assistance award-
9 ed, including the establishment and maintenance of
10 a website for presenting the information to the pub-
11 lic; and

12 (3) submit the plans to the Committee on
13 Transportation and Infrastructure of the House of
14 Representatives and the Committee on Homeland
15 Security and Governmental Affairs of the Senate.

16 **SEC. 2024. AGENCY ACCOUNTABILITY.**

17 Title IV of the Robert T. Stafford Disaster Relief and
18 Emergency Assistance Act is amended by adding at the
19 end the following:

20 **“SEC. 430. AGENCY ACCOUNTABILITY.**

21 “(a) PUBLIC ASSISTANCE.—Not later than 5 days
22 after an award of a public assistance grant is made under
23 section 406 that is in excess of \$1,000,000, the Adminis-
24 trator shall publish on the Agency’s website the specifics
25 of each such grant award, including—

1 “(1) identifying the Federal Emergency Man-
2 agement Agency Region;

3 “(2) the disaster or emergency declaration
4 number;

5 “(3) the State, county, and applicant name;

6 “(4) if the applicant is a private nonprofit orga-
7 nization;

8 “(5) the damage category code;

9 “(6) the amount of the Federal share obligated;
10 and

11 “(7) the date of the award.

12 “(b) MISSION ASSIGNMENTS.—

13 “(1) IN GENERAL.—Not later than 5 days after
14 the issuance of a mission assignment or mission as-
15 signment task order, the Administrator shall publish
16 on the Agency’s website any mission assignment or
17 mission assignment task order to another Federal
18 department or agency regarding a major disaster in
19 excess of \$1,000,000, including—

20 “(A) the name of the impacted State or
21 Tribe;

22 “(B) the disaster declaration for such
23 State or Tribe;

24 “(C) the assigned agency;

25 “(D) the assistance requested;

1 “(E) a description of the disaster;

2 “(F) the total cost estimate;

3 “(G) the amount obligated;

4 “(H) the State or Tribal cost share, if ap-
5 plicable;

6 “(I) the authority under which the mission
7 assignment or mission assignment task order
8 was directed; and

9 “(J) if applicable, the date a State or
10 Tribe requested the mission assignment.

11 “(2) RECORDING CHANGES.—Not later than 10
12 days after the last day of each month until a mission
13 assignment or mission assignment task order de-
14 scribed in paragraph (1) is completed and closed
15 out, the Administrator shall update any changes to
16 the total cost estimate and the amount obligated.

17 “(c) DISASTER RELIEF MONTHLY REPORT.—Not
18 later than 10 days after the first day of each month, the
19 Administrator shall publish on the Agency’s website re-
20 ports, including a specific description of the methodology
21 and the source data used in developing such reports, in-
22 cluding—

23 “(1) an estimate of the amounts for the fiscal
24 year covered by the President’s most recent budget

1 pursuant to section 1105(a) of title 31, United
2 States Code, including—

3 “(A) the unobligated balance of funds to
4 be carried over from the prior fiscal year to the
5 budget year;

6 “(B) the unobligated balance of funds to
7 be carried over from the budget year to the
8 budget year plus 1;

9 “(C) the amount of obligations for non-
10 catastrophic events for the budget year;

11 “(D) the amount of obligations for the
12 budget year for catastrophic events delineated
13 by event and by State;

14 “(E) the total amount that has been pre-
15 viously obligated or will be required for cata-
16 strophic events delineated by event and by State
17 for all prior years, the current fiscal year, the
18 budget year, and each fiscal year thereafter;

19 “(F) the amount of previously obligated
20 funds that will be recovered for the budget
21 year;

22 “(G) the amount that will be required for
23 obligations for emergencies, as described in sec-
24 tion 102(1), major disasters, as described in
25 section 102(2), fire management assistance

1 grants, as described in section 420, surge ac-
2 tivities, and disaster readiness and support ac-
3 tivities; and

4 “(H) the amount required for activities not
5 covered under section 251(b)(2)(D)(iii) of the
6 Balanced Budget and Emergency Deficit Con-
7 trol Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii));
8 and

9 “(2) an estimate or actual amounts, if available,
10 of the following for the current fiscal year shall be
11 submitted not later than the fifth day of each
12 month, published by the Administrator on the Agen-
13 cy’s website not later than the fifth day of each
14 month:

15 “(A) A summary of the amount of appro-
16 priations made available by source, the trans-
17 fers executed, the previously allocated funds re-
18 covered, and the commitments, allocations, and
19 obligations made.

20 “(B) A table of disaster relief activity de-
21 lineated by month, including—

22 “(i) the beginning and ending bal-
23 ances;

24 “(ii) the total obligations to include
25 amounts obligated for fire assistance,

1 emergencies, surge, and disaster support
2 activities;

3 “(iii) the obligations for catastrophic
4 events delineated by event and by State;
5 and

6 “(iv) the amount of previously obli-
7 gated funds that are recovered.

8 “(C) A summary of allocations, obligations,
9 and expenditures for catastrophic events delin-
10 eated by event.

11 “(D) The cost of the following categories
12 of spending:

13 “(i) Public assistance.

14 “(ii) Individual assistance.

15 “(iii) Mitigation.

16 “(iv) Administrative.

17 “(v) Operations.

18 “(vi) Any other relevant category (in-
19 cluding emergency measures and disaster
20 resources) delineated by disaster.

21 “(E) The date on which funds appro-
22 priated will be exhausted.

23 “(d) CONTRACTS.—

24 “(1) INFORMATION.—Not later than 10 days
25 after the first day of each month, the Administrator

1 shall publish on the Agency’s website the specifics of
2 each contract in excess of \$1,000,000 that the Agen-
3 cy enters into, including—

4 “(A) the name of the party;

5 “(B) the date the contract was awarded;

6 “(C) the amount and scope of the contract;

7 “(D) if the contract was awarded through
8 competitive bidding process;

9 “(E) if no competitive bidding process was
10 used, the reason why competitive bidding was
11 not used; and

12 “(F) the authority used to bypass the com-
13 petitive bidding process.

14 The information shall be delineated by disaster, if
15 applicable, and specify the damage category code, if
16 applicable.

17 “(2) REPORT.—Not later than 10 days after
18 the last day of the fiscal year, the Administrator
19 shall provide a report to the appropriate committees
20 of Congress summarizing the following information
21 for the preceding fiscal year:

22 “(A) The number of contracts awarded
23 without competitive bidding.

24 “(B) The reasons why a competitive bid-
25 ding process was not used.

1 “(C) The total amount of contracts award-
2 ed with no competitive bidding.

3 “(D) The damage category codes, if appli-
4 cable, for contracts awarded without competi-
5 tive bidding.”.

6 **SEC. 2025. AUDIT OF CONTRACTS.**

7 Notwithstanding any other provision of law, the Ad-
8 ministrators of the Federal Emergency Management Agen-
9 cy shall not reimburse a State, Tribe, or local government
10 or the owner or operator of a private nonprofit facility for
11 any activities made pursuant to a contract entered into
12 after August 1, 2017, that prohibits the Administrator or
13 the Comptroller General of the United States from audit-
14 ing or otherwise reviewing all aspects relating to the con-
15 tract.

16 **SEC. 2026. INSPECTOR GENERAL AUDIT OF FEMA CON-**
17 **TRACTS FOR TARPS AND PLASTIC SHEETING.**

18 (a) IN GENERAL.—Not later than 30 days after the
19 date of enactment of this Act, the inspector general of the
20 Department of Homeland Security shall initiate an audit
21 of the contracts awarded by the Federal Emergency Man-
22 agement Agency (in this section referred to as “FEMA”)
23 for tarps and plastic sheeting for the Commonwealth of
24 Puerto Rico and the United States Virgin Islands in re-
25 sponse to Hurricane Irma and Hurricane Maria.

1 (b) CONSIDERATIONS.—In carrying out the audit
2 under subsection (a), the inspector general shall review—

3 (1) the contracting process used by FEMA to
4 evaluate offerors and award the relevant contracts to
5 contractors;

6 (2) FEMA’s assessment of the past perform-
7 ance of the contractors, including any historical in-
8 formation showing that the contractors had sup-
9 ported large-scale delivery quantities in the past;

10 (3) FEMA’s assessment of the capacity of the
11 contractors to carry out the relevant contracts, in-
12 cluding with respect to inventory, production, and fi-
13 nancial capabilities;

14 (4) how FEMA ensured that the contractors
15 met the terms of the relevant contracts; and

16 (5) whether the failure of the contractors to
17 meet the terms of the relevant contracts and
18 FEMA’s subsequent cancellation of the relevant con-
19 tracts affected the provision of tarps and plastic
20 sheeting to the Commonwealth of Puerto Rico and
21 the United States Virgin Islands.

22 (c) REPORT.—Not later than 270 days after the date
23 of initiation of the audit under subsection (a), the inspec-
24 tor general shall submit to the Committee on Transpor-
25 tation and Infrastructure of the House of Representatives

1 and the Committee on Homeland Security and Govern-
2 mental Affairs of the Senate a report on the results of
3 the audit, including findings and recommendations.

4 **SEC. 2027. RELIEF ORGANIZATIONS.**

5 Section 309 of the Robert T. Stafford Disaster Relief
6 and Emergency Assistance Act (42 U.S.C. 5152) is
7 amended—

8 (1) in subsection (a), by striking “and other re-
9 lief or” and inserting “long-term recovery groups,
10 domestic hunger relief, and other relief, or”; and

11 (2) in subsection (b), by striking “and other re-
12 lief or” and inserting “long-term recovery groups,
13 domestic hunger relief, and other relief, or”.

14 **SEC. 2028. GUIDANCE ON INUNDATED AND SUBMERGED**
15 **ROADS.**

16 The Administrator of the Federal Emergency Man-
17 agement Agency, in coordination with the Administrator
18 of the Federal Highway Administration, shall develop and
19 issue guidance for State, local, and Tribal governments
20 regarding repair, restoration, and replacement of inun-
21 dated and submerged roads damaged or destroyed by a
22 major disaster, and for associated expenses incurred by
23 the Government, with respect to roads eligible for assist-
24 ance under section 406 of the Robert T. Stafford Disaster
25 Relief and Emergency Assistance Act (42 U.S.C. 5172).

1 **SEC. 2029. AUTHORITIES.**

2 Notwithstanding any other provision of law, the non-
3 federally funded actions of private parties and State, local,
4 or Tribal governments, on State, local, Tribal, and private
5 land, and the effects of those actions, shall not be attrib-
6 uted to the Federal Emergency Management Agency's ac-
7 tions under the National Flood Insurance Act of 1968 (42
8 U.S.C. 4001 et seq.), the Flood Disaster Protection Act
9 of 1973 (42 U.S.C. 4002 et seq.), the Biggert-Waters
10 Flood Insurance Reform Act of 2012 (subtitle A of title
11 II of division F of Public Law 112–141; 126 Stat. 916),
12 and the Homeowner Flood Insurance Affordability Act of
13 2014 (Public Law 113–89; 128 Stat. 1020) for the pur-
14 poses of section 7 (16 U.S.C. 1536) and section 9 (16
15 U.S.C. 1538) of the Endangered Species Act. Actions
16 taken under the National Flood Insurance Act of 1968,
17 the Flood Disaster Protection Act of 1973, the Biggert-
18 Waters Flood Insurance Reform Act of 2012, and the
19 Homeowner Flood Insurance Affordability Act of 2014,
20 that may influence private actions do not create a Federal
21 nexus for the purpose of applying the requirements of sec-
22 tion 7 of the Endangered Species Act of 1973 (16 U.S.C.
23 1536).

1 **SEC. 2030. RECOUPMENT OF CERTAIN ASSISTANCE PRO-**
2 **HIBITED.**

3 (a) IN GENERAL.—Notwithstanding section 3716(e)
4 of title 31, United States Code, and unless there is evi-
5 dence of civil or criminal fraud, the Federal Emergency
6 Management Agency may not take any action to recoup
7 covered assistance from the recipient of such assistance
8 if the receipt of such assistance occurred on a date that
9 is more than 3 years before the date on which the Federal
10 Emergency Management Agency first provides to the re-
11 cipient written notification of an intent to recoup.

12 (b) COVERED ASSISTANCE DEFINED.—In this sec-
13 tion, the term “covered assistance” means assistance pro-
14 vided—

15 (1) under section 408 of the Robert T. Stafford
16 Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5174); and

18 (2) in relation to a major disaster or emergency
19 declared by the President under section 401 or 501
20 of such Act (42 U.S.C. 5170; 42 U.S.C. 5191) on
21 or after January 1, 2012.

22 **SEC. 2031. STATUTE OF LIMITATIONS.**

23 (a) IN GENERAL.—Section 705 of the Robert T.
24 Stafford Disaster Relief and Emergency Assistance Act
25 (42 U.S.C. 5205) is amended—

26 (1) in subsection (a)(1)—

1 (A) by striking “Except” and inserting
2 “Notwithstanding section 3716(e) of title 31,
3 United States Code, and except”; and

4 (B) by striking “report for the disaster or
5 emergency” and inserting “report for project
6 completion as certified by the grantee”; and

7 (2) in subsection (b)—

8 (A) in paragraph (1) by striking “report
9 for the disaster or emergency” and inserting
10 “report for project completion as certified by
11 the grantee”; and

12 (B) in paragraph (3) by inserting “for
13 project completion as certified by the grantee”
14 after “final expenditure report”.

15 (b) APPLICABILITY.—

16 (1) IN GENERAL.—With respect to disaster or
17 emergency assistance provided to a State or local
18 government on or after January 1, 2004—

19 (A) no administrative action may be taken
20 to recover a payment of such assistance after
21 the date of enactment of this Act if the action
22 is prohibited under section 705(a)(1) of the
23 Robert T. Stafford Disaster Relief and Emer-
24 gency Assistance Act (42 U.S.C. 5205(a)(1)),
25 as amended by subsection (a); and

1 (B) any administrative action to recover a
2 payment of such assistance that is pending on
3 such date of enactment shall be terminated if
4 the action is prohibited under section 705(a)(1)
5 of that Act, as amended by subsection (a).

6 (2) LIMITATION.—This section, including the
7 amendments made by this section, may not be con-
8 strued to invalidate or otherwise affect any adminis-
9 tration action completed before the date of enact-
10 ment of this Act.

11 **SEC. 2032. TECHNICAL ASSISTANCE AND RECOMMENDA-**
12 **TIONS.**

13 (a) TECHNICAL ASSISTANCE.—The Administrator of
14 the Federal Emergency Management Agency shall provide
15 technical assistance to a common interest community that
16 provides essential services of a governmental nature on ac-
17 tions that a common interest community may take in
18 order to be eligible to receive reimbursement from a grant-
19 ee that receives funds from the Agency for certain activi-
20 ties performed after an event that results in a disaster
21 declaration.

22 (b) RECOMMENDATIONS.—Not later than 90 days
23 after the date of enactment of this Act, the Administrator
24 shall provide to the Committee on Transportation and In-
25 frastructure of the House of Representatives and the Com-

1 mittee on Homeland Security and Governmental Affairs
2 of the Senate a legislative proposal on how to provide eligi-
3 bility for disaster assistance with respect to common areas
4 of condominiums and housing cooperatives.

5 **SEC. 2033. GUIDANCE ON HAZARD MITIGATION ASSIST-**
6 **ANCE.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, the Administrator of the
9 Federal Emergency Management Agency shall issue guid-
10 ance regarding the acquisition of property for open space
11 as a mitigation measure under section 404 of the Robert
12 T. Stafford Disaster Relief and Emergency Assistance Act
13 (42 U.S.C. 5170c) that includes—

14 (1) a process by which the State hazard mitiga-
15 tion officer appointed for such an acquisition shall,
16 not later than 60 days after the applicant for assist-
17 ance enters into an agreement with the Adminis-
18 trator regarding the acquisition, provide written no-
19 tification to each affected unit of local government
20 for such acquisition that includes—

- 21 (A) the location of the acquisition;
22 (B) the State-local assistance agreement
23 for the hazard mitigation grant program;
24 (C) a description of the acquisition; and
25 (D) a copy of the deed restriction; and

1 (2) recommendations for entering into and im-
2 plementing a memorandum of understanding be-
3 tween units of local government and covered entities
4 that includes provisions to allow an affected unit of
5 local government notified under paragraph (1) to—

6 (A) use and maintain the open space cre-
7 ated by such a project, consistent with section
8 404 (including related regulations, standards,
9 and guidance) and consistent with all adjoining
10 property, subject to the notification of the ad-
11 joining property, so long as the cost of the
12 maintenance is borne by the local government;
13 and

14 (B) maintain the open space pursuant to
15 standards exceeding any local government
16 standards defined in the agreement with the
17 Administrator described under paragraph (1).

18 (b) DEFINITIONS.—In this section the following defi-
19 nitions apply:

20 (1) AFFECTED UNIT OF LOCAL GOVERN-
21 MENT.—The term “affected unit of local govern-
22 ment” means any entity covered by the definition of
23 local government in section 102 of the Robert T.
24 Stafford Disaster Relief and Emergency Assistance
25 Act (42 U.S.C. 5122), that has jurisdiction over the

1 property subject to the acquisition described in sub-
2 section (a).

3 (2) COVERED ENTITY.—The term “covered en-
4 tity” means—

5 (A) the grantee or subgrantee receiving as-
6 sistance for an open space project described in
7 subsection (a);

8 (B) the State in which such project is lo-
9 cated; and

10 (C) the applicable Regional Administrator
11 of the Federal Emergency Management Agency.

12 **SEC. 2034. LOCAL IMPACT.**

13 In making recommendations to the President regard-
14 ing a major disaster declaration, the Administrator of the
15 Federal Emergency Management Agency shall give great-
16 er weight and consideration to severe local impact or re-
17 cent multiple disasters. Further, the Administrator shall
18 make corresponding adjustments to the Agency’s policies
19 and regulations regarding such consideration. Not later
20 than 1 year after the date of enactment of this section,
21 the Administrator shall report to the Committee on Trans-
22 portation and Infrastructure of the House of Representa-
23 tives and the Committee on Homeland Security and Gov-
24 ernmental Affairs of the Senate on the changes made to

1 regulations and policies and the number of declarations
2 that have been declared based on the new criteria.

3 **SEC. 2035. ADDITIONAL HAZARD MITIGATION ACTIVITIES.**

4 Section 404 of the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5170c) is fur-
6 ther amended by adding at the end the following:

7 “(g) USE OF ASSISTANCE.—Recipients of hazard
8 mitigation assistance provided under this section and sec-
9 tion 203 may use the assistance to conduct activities to
10 help reduce the risk of future damage, hardship, loss, or
11 suffering in any area affected by earthquake hazards, in-
12 cluding—

13 “(1) improvements to regional seismic networks
14 in support of building a capability for earthquake
15 early warning;

16 “(2) improvements to geodetic networks in sup-
17 port of building a capability for earthquake early
18 warning; and

19 “(3) improvements to seismometers, Global Po-
20 sitioning System receivers, and associated infrastruc-
21 ture in support of building a capability for earth-
22 quake early warning.”.

1 **SEC. 2036. NATIONAL PUBLIC INFRASTRUCTURE**
2 **PREDISASTER HAZARD MITIGATION.**

3 (a) PREDISASTER HAZARD MITIGATION.—Section
4 203 of the Robert T. Stafford Disaster Relief and Emer-
5 gency Assistance Act (42 U.S.C. 5133) is amended—

6 (1) in subsection (c) by inserting “Public Infra-
7 structure” after “the National”;

8 (2) in subsection (e)(1)(B)—

9 (A) by striking “or” at the end of clause
10 (ii);

11 (B) by striking the period at the end of
12 clause (iii) and inserting “; or”; and

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

14 “(iv) to establish and carry out en-
15 forcement activities to implement the latest
16 published editions of relevant consensus-
17 based codes, specifications, and standards
18 that incorporate the latest hazard-resistant
19 designs and establish minimum acceptable
20 criteria for the design, construction, and
21 maintenance of residential structures and
22 facilities that may be eligible for assistance
23 under this Act for the purpose of pro-
24 tecting the health, safety, and general wel-
25 fare of the buildings’ users against disas-
26 ters.”;

1 (3) in subsection (f)—

2 (A) in paragraph (1) by inserting “for
3 mitigation activities that are cost effective”
4 after “competitive basis”; and

5 (B) by adding at the end the following:

6 “(3) REDISTRIBUTION OF UNOBLIGATED
7 AMOUNTS.—The President may—

8 “(A) withdraw amounts of financial assist-
9 ance made available to a State (including
10 amounts made available to local governments of
11 a State) under this subsection that remain un-
12 obligated by the end of the third fiscal year
13 after the fiscal year for which the amounts were
14 allocated; and

15 “(B) in the fiscal year following a fiscal
16 year in which amounts were withdrawn under
17 subparagraph (A), add the amounts to any
18 other amounts available to be awarded on a
19 competitive basis pursuant to paragraph (1).”;
20 (4) in subsection (g)—

21 (A) in paragraph (9) by striking “and” at
22 the end;

23 (B) by redesignating paragraph (10) as
24 paragraph (12); and

1 (C) by adding after paragraph (9) the fol-
2 lowing:

3 “(10) the extent to which the State or local
4 government has facilitated the adoption and enforce-
5 ment of the latest published editions of relevant con-
6 sensus-based codes, specifications, and standards
7 that incorporate the latest hazard-resistant designs
8 and establish criteria for the design, construction,
9 and maintenance of residential structures and facili-
10 ties that may be eligible for assistance under this
11 Act for the purpose of protecting the health, safety,
12 and general welfare of the buildings’ users against
13 disasters;

14 “(11) the extent to which the assistance will
15 fund activities that increase the level of resiliency;
16 and”;

17 (5) by striking subsection (i) and inserting the
18 following:

19 “(i) NATIONAL PUBLIC INFRASTRUCTURE
20 PREDISASTER MITIGATION ASSISTANCE.—

21 “(1) IN GENERAL.—The President may set
22 aside from the Disaster Relief Fund, with respect to
23 each major disaster, an amount equal to 6 percent
24 of the estimated aggregate amount of the grants to
25 be made pursuant to sections 403, 406, 407, 408,

1 410, and 416 for the major disaster in order to pro-
2 vide technical and financial assistance under this
3 section.

4 “(2) ESTIMATED AGGREGATE AMOUNT.—Not
5 later than 180 days after each major disaster dec-
6 laration pursuant to this Act, the estimated aggre-
7 gate amount of grants for purposes of paragraph (1)
8 shall be determined by the President and such esti-
9 mated amount need not be reduced, increased, or
10 changed due to variations in estimates.

11 “(3) NO REDUCTION IN AMOUNTS.—The
12 amount set aside pursuant to paragraph (1) shall
13 not reduce the amounts otherwise made available for
14 sections 403, 404, 406, 407, 408, 410, and 416
15 under this Act.”; and

16 (6) by striking subsections (j) and (m) and re-
17 designating subsections (k), (l), and (n) as sub-
18 sections (j), (k), and (l), respectively.

19 (b) APPLICABILITY.—The amendments made to sec-
20 tion 203 of the Robert T. Stafford Disaster Relief and
21 Emergency Assistance Act (42 U.S.C. 5133) by para-
22 graphs (3) and (5) of subsection (a) shall apply to funds
23 appropriated after the date of enactment of this Act.

1 **SEC. 2037. ADDITIONAL MITIGATION ACTIVITIES.**

2 (a) HAZARD MITIGATION CLARIFICATION.—Section
3 404(a) of the Robert T. Stafford Disaster Relief and
4 Emergency Assistance Act (42 U.S.C. 5170c(a)) is
5 amended by striking the first sentence and inserting the
6 following: “The President may contribute up to 75 percent
7 of the cost of hazard mitigation measures which the Presi-
8 dent has determined are cost effective and which substan-
9 tially reduce the risk of, or increase resilience to, future
10 damage, hardship, loss, or suffering in any area affected
11 by a major disaster.”.

12 (b) ELIGIBLE COST.—Section 406(e)(1)(A) of such
13 Act (42 U.S.C. 5172(e)(1)(A)) is amended—

14 (1) in the matter preceding clause (i), by insert-
15 ing after “section,” the following: “for disasters de-
16 clared on or after August 1, 2017, or a disaster in
17 which a cost estimate has not yet been finalized for
18 a project,”;

19 (2) in clause (i), by striking “and”;

20 (3) in clause (ii)—

21 (A) by striking “codes, specifications, and
22 standards” and inserting “the latest published
23 editions of relevant consensus-based codes,
24 specifications, and standards that incorporate
25 the latest hazard-resistant designs and establish
26 minimum acceptable criteria for the design,

1 construction, and maintenance of residential
2 structures and facilities that may be eligible for
3 assistance under this Act for the purposes of
4 protecting the health, safety, and general wel-
5 fare of a facility’s users against disasters”;

6 (B) by striking “applicable at the time at
7 which the disaster occurred”; and

8 (C) by striking the period at the end and
9 inserting “; and”; and

10 (4) by adding at the end the following:

11 “(iii) in a manner that allows the fa-
12 cility to meet the definition of resilient de-
13 veloped pursuant to this subsection.”.

14 (c) OTHER ELIGIBLE COST.—Section 406(e)(1) of
15 such Act (42 U.S.C. 5172(e)(1)) is further amended by
16 inserting at the end the following:

17 “(C) CONTRIBUTIONS.—Contributions for
18 the eligible cost made under this section may be
19 provided on an actual cost basis or on cost-esti-
20 mation procedures.”.

21 (d) NEW RULES.—Section 406(e) of such Act (42
22 U.S.C. 5172(e)) is further amended by adding at the end
23 the following:

24 “(5) NEW RULES.—

1 “(A) IN GENERAL.—Not later than 18
2 months after the date of enactment of this
3 paragraph, the President, acting through the
4 Administrator of the Federal Emergency Man-
5 agement Agency, shall issue a final rulemaking
6 that defines the terms ‘resilient’ and ‘resiliency’
7 for purposes of this subsection.

8 “(B) INTERIM GUIDANCE.—Not later than
9 60 days after the date of enactment of this
10 paragraph, the Administrator shall issue in-
11 terim guidance to implement this subsection.
12 Such interim guidance shall expire 18 months
13 after the date of enactment of this paragraph
14 or upon issuance of final regulations pursuant
15 to subparagraph (A), whichever occurs first.

16 “(C) GUIDANCE.—Not later than 90 days
17 after the date on which the Administrator
18 issues the final rulemaking under this para-
19 graph, the Administrator shall issue any nec-
20 essary guidance related to the rulemaking.

21 “(D) REPORT.—Not later than 2 years
22 after the date of enactment of this paragraph,
23 the Administrator shall submit to Congress a
24 report summarizing the regulations and guid-
25 ance issued pursuant to this paragraph.”.

1 (e) CONFORMING AMENDMENT.—Section 205(d)(2)
2 of the Disaster Mitigation Act of 2000 (Public Law 106–
3 390) is amended by inserting “(B)” after “except that
4 paragraph (1)”.

5 **SEC. 2038. FEDERAL COST-SHARE ADJUSTMENTS FOR RE-**
6 **PAIR, RESTORATION, AND REPLACEMENT OF**
7 **DAMAGED FACILITIES.**

8 Section 406(b) of the Robert T. Stafford Disaster Re-
9 lief and Emergency Assistance Act (42 U.S.C. 5172(b))
10 is amended by inserting after paragraph (2) the following:

11 “(3) INCREASED FEDERAL SHARE.—

12 “(A) INCENTIVE MEASURES.—The Presi-
13 dent may provide incentives to a State or Tribal
14 government to invest in measures that increase
15 readiness for, and resilience from, a major dis-
16 aster by recognizing such investments through
17 a sliding scale that increases the minimum Fed-
18 eral share to 85 percent. Such measures may
19 include—

20 “(i) the adoption of a mitigation plan
21 approved under section 322;

22 “(ii) investments in disaster relief, in-
23 surance, and emergency management pro-
24 grams;

1 “(iii) encouraging the adoption and
2 enforcement of the latest published edi-
3 tions of relevant consensus-based codes,
4 specifications, and standards that incor-
5 porate the latest hazard-resistant designs
6 and establish minimum acceptable criteria
7 for the design, construction, and mainte-
8 nance of residential structures and facili-
9 ties that may be eligible for assistance
10 under this Act for the purpose of pro-
11 tecting the health, safety, and general wel-
12 fare of the buildings’ users against disas-
13 ters;

14 “(iv) facilitating participation in the
15 community rating system; and

16 “(v) funding mitigation projects or
17 granting tax incentives for projects that re-
18 duce risk.

19 “(B) COMPREHENSIVE GUIDANCE.—Not
20 later than 1 year after the date of enactment of
21 this paragraph, the President, acting through
22 the Administrator, shall issue comprehensive
23 guidance to State and Tribal governments re-
24 garding the measures and investments, weight-
25 ed appropriately based on actuarial assessments

1 of eligible actions, that will be recognized for
2 the purpose of increasing the Federal share
3 under this section. Guidance shall ensure that
4 the agency's review of eligible measures and in-
5 vestments does not unduly delay determining
6 the appropriate Federal cost share.

7 “(C) REPORT.—One year after the
8 issuance of the guidance required by subpara-
9 graph (B), the Administrator shall submit to
10 the Committee on Transportation and Infra-
11 structure of the House of Representatives and
12 the Committee on Homeland Security and Gov-
13 ernmental Affairs of the Senate a report re-
14 garding the analysis of the Federal cost shares
15 paid under this section.

16 “(D) SAVINGS CLAUSE.—Nothing in this
17 paragraph prevents the President from increas-
18 ing the Federal cost share above 85 percent.”.

19 **DIVISION C—OTHER MATTERS**

20 **SEC. 3001. TREATMENT OF SEED COTTON.**

21 (a) DEFINITION.—Section 1111 of the Agricultural
22 Act of 2014 (7 U.S.C. 9011) is amended by adding at
23 the end the following new paragraph:

1 “(25) SEED COTTON.—The term ‘seed cotton’
2 means unginned upland cotton that includes both
3 lint and seed.”.

4 (b) DESIGNATION AS COVERED COMMODITY.—Sec-
5 tion 1111(6) of the Agricultural Act of 2014 (7 U.S.C.
6 9011(6)) is amended by adding at the end the following
7 new sentence: “Effective beginning with the 2018 crop
8 year, the term includes seed cotton.”.

9 (c) REFERENCE PRICE.—Section 1111(18) of the
10 Agricultural Act of 2014 (7 U.S.C. 9011(18)) is amended
11 by adding at the end the following new subparagraph:

12 “(O) For seed cotton, \$0.367 per pound.”.

13 (d) PAYMENT YIELD.—Section 1113(d) of the Agri-
14 cultural Act of 2014 (7 U.S.C. 9013(d)) is amended by
15 adding at the end the following new paragraph:

16 “(5) PAYMENT YIELD FOR SEED COTTON.—

17 “(A) PAYMENT YIELD.—Subject to sub-
18 paragraph (B), the payment yield for seed cot-
19 ton for a farm shall be equal to 2.4 times the
20 payment yield for upland cotton for the farm
21 established for purposes of subsection (e)(3) of
22 section 1104 of the Food, Conservation, and
23 Energy Act of 2008 (Public Law 110–246; 122
24 Stat. 1672), as in effect immediately before the
25 repeal of such section by section 1102(a) of the

1 Agricultural Act of 2014 (Public Law 113–79;
2 128 Stat. 658).

3 “(B) UPDATE.—At the sole discretion of
4 the owner of a farm with a yield described in
5 subparagraph (A), the owner of the farm shall
6 have a 1-time opportunity to update the pay-
7 ment yield for upland cotton for the farm, as
8 provided in subsection (d), for the purpose of
9 calculating the payment yield for seed cotton
10 under such subparagraph.”.

11 (e) PAYMENT ACRES.—Section 1114(b) of the Agri-
12 cultural Act of 2014 (7 U.S.C. 9014(b)) is amended by
13 adding at the end the following new paragraph:

14 “(4) SEED COTTON RULE.—

15 “(A) IN GENERAL.—Not later than 90
16 days after the date of the enactment of this
17 paragraph, the Secretary shall require the
18 owner of a farm to allocate all generic base
19 acres on the farm under subparagraph (B) or
20 (C), or both.

21 “(B) NO RECENT HISTORY OF COVERED
22 COMMODITIES.—In the case of a farm where no
23 covered commodities (including seed cotton)
24 were planted or were prevented from being
25 planted at any time during the 2009 through

1 2016 crop years, the owner of such farm shall
2 allocate generic base acres on the farm to unas-
3 signed crop base for which no payments may be
4 made under section 1116 or 1117.

5 “(C) RECENT HISTORY OF COVERED COM-
6 MODITIES.—In the case of a farm not described
7 in subparagraph (B), the owner of such farm
8 shall allocate generic base acres on the farm—

9 “(i) subject to subparagraph (D), to
10 seed cotton base acres in an amount equal
11 to the greater of—

12 “(I) 80 percent of the generic
13 base acres on the farm; or

14 “(II) the average seed cotton
15 acres planted or prevented from being
16 planted on the farm during the 2009
17 through 2012 crop years (not to ex-
18 ceed the total generic base acres on
19 the farm); or

20 “(ii) to covered commodities (includ-
21 ing seed cotton), by applying subpara-
22 graphs (B), (D), (E), and (F) of section
23 1112(a)(3).

24 “(D) TREATMENT OF RESIDUAL GENERIC
25 BASE ACRES.—In the case of a farm where ge-

1 generic base acres are allocated under subpara-
2 graph (C)(i), the residual generic base acres
3 shall be allocated to unassigned crop base for
4 which no payments may be made under section
5 1116 or 1117.

6 “(E) EFFECT OF FAILURE TO ALLO-
7 CATE.—If the owner of a farm fails to allocate
8 generic base acres on the farm, the owner of
9 the farm shall be deemed to have allocated all
10 generic base acres in accordance with subpara-
11 graph (C)(i).”.

12 (f) RECORDKEEPING REGARDING UNASSIGNED CROP
13 BASE.—Section 1114 of the Agricultural Act of 2014 (7
14 U.S.C. 9014) is amended by adding at the end the fol-
15 lowing new subsection:

16 “(f) UNASSIGNED CROP BASE.—The Secretary shall
17 maintain information on generic base acres on a farm allo-
18 cated as unassigned crop base pursuant to subsection
19 (b)(4).”.

20 (g) SPECIAL ELECTION PERIOD FOR PRICE LOSS
21 COVERAGE OR AGRICULTURE RISK COVERAGE.—Section
22 1115 of the Agricultural Act of 2014 (7 U.S.C. 9014(b))
23 is amended—

1 (1) in subsection (a), by striking “For” and in-
2 serting “Except as provided in subsection (g), for”;
3 and

4 (2) by adding at the end the following new sub-
5 section:

6 “(g) SPECIAL ELECTION.—

7 “(1) ELECTION REQUIRED.—In the case of
8 acres allocated on a farm to seed cotton, all of the
9 producers on the farm shall be given the opportunity
10 to make a new 1-time election under subsection (a)
11 to reflect the designation of seed cotton as a covered
12 commodity for that crop year under section 1111(6).

13 “(2) EFFECT OF FAILURE TO MAKE UNANI-
14 MOUS ELECTION.—If all of the producers on a farm
15 fail to make a unanimous election under paragraph
16 (1), the producers on the farm shall be deemed to
17 have elected price loss coverage under section 1116
18 for all acres allocated on the farm to seed cotton.”.

19 (h) EFFECTIVE PRICE.—Section 1116 of the Agricul-
20 tural Act of 2014 (7 U.S.C. 9016(b)) is amended by add-
21 ing at the end the following new subsection:

22 “(h) EFFECTIVE PRICE FOR SEED COTTON.—

23 “(1) IN GENERAL.—The effective price for seed
24 cotton under subsection (b) shall be equal to the

1 marketing year average price for seed cotton, as cal-
2 culated under paragraph (2).

3 “(2) CALCULATION.—The marketing year aver-
4 age price for seed cotton for a crop year shall be
5 equal to the quotient of—

6 “(A) a dividend that is equal to the sum
7 of—

8 “(i) the product obtained when the
9 upland cotton lint marketing year average
10 price is multiplied by total United States
11 upland cotton lint production measured in
12 pounds; and

13 “(ii) the product obtained when the
14 cottonseed marketing year average price is
15 multiplied by total United States cotton-
16 seed production measured in pounds; and

17 “(B) a divisor that is equal to the sum
18 of—

19 “(i) total United States upland cotton
20 lint production measured in pounds; and

21 “(ii) total United States cottonseed
22 production measured in pounds.”.

23 (i) DEEMED LOAN RATE FOR SEED COTTON.—Sec-
24 tion 1202 of the Agricultural Act of 2014 (7 U.S.C. 9032)

1 is amended by adding at the end the following new sub-
2 section:

3 “(c) RULE FOR SEED COTTON.—

4 “(1) IN GENERAL.—For purposes of section
5 1116(b)(2) and paragraphs (1)(B)(ii) and
6 (2)(A)(ii)(II) of section 1117(b) only, seed cotton
7 shall be deemed to have a loan rate equal to \$0.25
8 per pound.

9 “(2) RULE OF CONSTRUCTION.—Nothing in
10 this subsection shall be construed to authorize non-
11 recourse marketing assistance loans under this part
12 for seed cotton.”.

13 (j) LIMITATION ON STACKED INCOME PROTECTION
14 PLAN FOR PRODUCERS OF UPLAND COTTON.—Section
15 508B of the Agricultural Adjustment Act of 1938 (7
16 U.S.C. 1508b) is amended by adding the following new
17 subsection:

18 “(f) LIMITATION.—Beginning with the 2018 crop
19 year, in the case of a farm that is enrolled for a crop year
20 in price loss coverage under section 1116 of the Agricul-
21 tural Act of 2014 (7 U.S.C. 9016) or agriculture risk cov-
22 erage under section 1117 of such Act (7 U.S.C. 9017) and
23 the coverage on the farm includes seed cotton, the farm
24 shall not be eligible for a Stacked Income Protection Plan
25 for upland cotton for that crop year.”.

1 (k) TECHNICAL CORRECTION.—Section 1114(b)(2)
2 of the Agricultural Act of 2014 (7 U.S.C. 9014(b)(2)) is
3 amended by striking “paragraphs (1)(B) and (2)(B)” and
4 inserting “paragraphs (1) and (2)”.

5 (l) ADMINISTRATION.—The Secretary of Agriculture
6 shall carry out the amendments made by this section in
7 the manner provided under section 1601 of the Agricul-
8 tural Act of 2014 (7 U.S.C. 9091).

9 (m) APPLICATION.—The amendments made by this
10 section shall apply beginning with the 2018 crop year.

11 **SEC. 3002. LIMITATION ON CROP INSURANCE LIVESTOCK-**
12 **RELATED EXPENDITURES.**

13 (a) IN GENERAL.—Paragraph (10) of section 523(b)
14 of the Federal Crop Insurance Act (7 U.S.C. 1523) is re-
15 pealed.

16 (b) CONFORMING AMENDMENTS.—Section 516 of the
17 Federal Crop Insurance Act (7 U.S.C. 1516) is amended
18 in subsections (a)(2)(C) and (b)(1)(D) by striking “sub-
19 sections (a)(3)(E)(ii) and (b)(10) of section 523” and in-
20 serting “subsection (a)(3)(E)(ii) of such section”.

21 **SEC. 3003. NATIONAL ACCURACY CLEARINGHOUSE.**

22 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
23 et seq.) is amended at the end by adding the following:

1 **“SEC. 30. NATIONAL ACCURACY CLEARINGHOUSE.**

2 “(a) IN GENERAL.—The Secretary shall establish an
3 interstate database, or system of databases, of supple-
4 mental nutrition assistance program information to be
5 known as the National Accuracy Clearinghouse.

6 “(b) PURPOSE.—Any database or system of data-
7 bases established pursuant to subsection (a) shall be used
8 by States when making eligibility determinations to pre-
9 vent supplemental nutrition assistance program partici-
10 pants from receiving duplicative benefits in multiple
11 States.

12 “(c) IMPLEMENTATION.—

13 “(1) ISSUANCE OF INTERIM FINAL REGULA-
14 TIONS.—Not later than 18 months after the effective
15 date of this section, the Secretary shall issue interim
16 final regulations to carry out this section that—

17 “(A) incorporate best practices and lessons
18 learned from the regional pilot project ref-
19 erenced in section 4032(c) of the Agricultural
20 Act of 2014 (7 U.S.C. 2036c(c));

21 “(B) safeguard the security of the data
22 stored in the National Accuracy Clearinghouse
23 and protect the privacy of supplemental nutri-
24 tion assistance program participants and appli-
25 cants; and

1 “(C) detail the process States will be re-
2 quired to follow for—

3 “(i) conducting initial and ongoing
4 matches of participant and applicant data;

5 “(ii) identifying and acting on all ap-
6 parent instances of duplicative participa-
7 tion by participants or applicants in mul-
8 tiple States; and

9 “(iii) complying with such other rules
10 and standards the Secretary determines
11 appropriate to carry out this section.

12 “(2) TIMING.—The initial match and cor-
13 responding actions required by paragraph (1)(C)
14 shall occur within 3 years after the effective date of
15 this section.”.

16 **SEC. 3004. PUERTO RICO LOW-INCOME COMMUNITIES**
17 **TREATED AS QUALIFIED OPPORTUNITY**
18 **ZONE.**

19 (a) IN GENERAL.—Section 1400Z-1(b) of the Inter-
20 nal Revenue Code of 1986, as added by the Tax Cuts and
21 Jobs Act, is amended by adding at the end the following
22 new paragraph:

23 “(3) SPECIAL RULE FOR PUERTO RICO.—Each
24 population census tract in Puerto Rico that is a low-

1 income community shall be deemed to be certified
2 and designated as a qualified opportunity zone.”.

3 (b) CONFORMING AMENDMENT.—Section 1400Z-
4 1(d)(1) of such Code is amended by inserting “and sub-
5 section (b)(3)” after “paragraph (2)”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect as if included in the enact-
8 ment of section 13823 of the Tax Cuts and Jobs Act, and
9 the deemed certification and designation under section
10 1400Z-1(b)(3) of such Code, as added by this section,
11 shall treated as effective on the date of the enactment of
12 such Act.

13 **DIVISION D—BUDGETARY** 14 **EFFECTS**

15 **SEC. 4001. BUDGETARY EFFECTS.**

16 (a) IN GENERAL.—The budgetary effects of division
17 B and each succeeding division (other than division E)
18 shall not be entered on either PAYGO scorecard main-
19 tained pursuant to section 4(d) of the Statutory Pay-As-
20 You-Go Act of 2010.

21 (b) SENATE PAYGO SCORECARDS.—The budgetary
22 effects of division B and each succeeding division (other
23 than division E) shall not be entered on any PAYGO
24 scorecard maintained for purposes of section 4106 of H.
25 Con. Res. 71 (115th Congress).

1 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
2 Notwithstanding Rule 3 of the Budget Scorekeeping
3 Guidelines set forth in the joint explanatory statement of
4 the committee of conference accompanying Conference Re-
5 port 105–217 and section 250(c)(8) of the Balanced
6 Budget and Emergency Deficit Control Act of 1985, the
7 budgetary effects of division B and each succeeding divi-
8 sion (other than division E) shall not be estimated—

9 (1) for purposes of section 251 of such Act; and

10 (2) for purposes of paragraph (4)(C) of section
11 3 of the Statutory Pay-As-You-Go Act of 2010 as
12 being included in an appropriation Act.

13 **DIVISION E—TAX RELIEF RELAT-**
14 **ING TO CERTAIN DISASTERS**
15 **TITLE I—CALIFORNIA FIRES**

16 **SEC. 5001. DEFINITIONS.**

17 For purposes of this title—

18 (1) CALIFORNIA WILDFIRE DISASTER ZONE.—

19 The term “California wildfire disaster zone” means
20 that portion of the California wildfire disaster area
21 determined by the President to warrant individual or
22 individual and public assistance from the Federal
23 Government under the Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act by reason of
25 wildfires in California.

1 (2) CALIFORNIA WILDFIRE DISASTER AREA.—

2 The term “California wildfire disaster area” means
3 an area with respect to which during 2017 a major
4 disaster has been declared by the President under
5 section 401 of such Act by reason of wildfires in
6 California.

7 **SEC. 5002. SPECIAL DISASTER-RELATED RULES FOR USE OF**
8 **RETIREMENT FUNDS.**

9 (a) TAX-FAVORED WITHDRAWALS FROM RETIRE-
10 MENT PLANS.—

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

14 (2) AGGREGATE DOLLAR LIMITATION.—

15 (A) IN GENERAL.—For purposes of this
16 subsection, the aggregate amount of distribu-
17 tions received by an individual which may be
18 treated as qualified wildfire distributions for
19 any taxable year shall not exceed the excess (if
20 any) of—

21 (i) \$100,000, over

22 (ii) the aggregate amounts treated as
23 qualified wildfire distributions received by
24 such individual for all prior taxable years.

1 (B) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would
2 (without regard to subparagraph (A)) be a
3 qualified wildfire distribution, a plan shall not
4 be treated as violating any requirement of the
5 Internal Revenue Code of 1986 merely because
6 the plan treats such distribution as a qualified
7 wildfire distribution, unless the aggregate
8 amount of such distributions from all plans
9 maintained by the employer (and any member
10 of any controlled group which includes the em-
11 ployer) to such individual exceeds \$100,000.

12 (C) CONTROLLED GROUP.—For purposes
13 of subparagraph (B), the term “controlled
14 group” means any group treated as a single
15 employer under subsection (b), (c), (m), or (o)
16 of section 414 of the Internal Revenue Code of
17 1986.

18 (3) AMOUNT DISTRIBUTED MAY BE REPAYED.—

19 (A) IN GENERAL.—Any individual who re-
20 ceives a qualified wildfire distribution may, at
21 any time during the 3-year period beginning on
22 the day after the date on which such distribu-
23 tion was received, make one or more contribu-
24 tions in an aggregate amount not to exceed the
25

1 amount of such distribution to an eligible retire-
2 ment plan of which such individual is a bene-
3 ficiary and to which a rollover contribution of
4 such distribution could be made under section
5 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or
6 457(e)(16), of the Internal Revenue Code of
7 1986, as the case may be.

8 (B) TREATMENT OF REPAYMENTS OF DIS-
9 TRIBUTIONS FROM ELIGIBLE RETIREMENT
10 PLANS OTHER THAN IRAS.—For purposes of
11 the Internal Revenue Code of 1986, if a con-
12 tribution is made pursuant to subparagraph (A)
13 with respect to a qualified wildfire distribution
14 from an eligible retirement plan other than an
15 individual retirement plan, then the taxpayer
16 shall, to the extent of the amount of the con-
17 tribution, be treated as having received the
18 qualified wildfire distribution in an eligible roll-
19 over distribution (as defined in section
20 402(c)(4) of such Code) and as having trans-
21 ferred the amount to the eligible retirement
22 plan in a direct trustee to trustee transfer with-
23 in 60 days of the distribution.

24 (C) TREATMENT OF REPAYMENTS FOR
25 DISTRIBUTIONS FROM IRAS.—For purposes of

1 the Internal Revenue Code of 1986, if a con-
2 tribution is made pursuant to subparagraph (A)
3 with respect to a qualified wildfire distribution
4 from an individual retirement plan (as defined
5 by section 7701(a)(37) of such Code), then, to
6 the extent of the amount of the contribution,
7 the qualified wildfire distribution shall be treat-
8 ed as a distribution described in section
9 408(d)(3) of such Code and as having been
10 transferred to the eligible retirement plan in a
11 direct trustee to trustee transfer within 60 days
12 of the distribution.

13 (4) DEFINITIONS.—For purposes of this sub-
14 section—

15 (A) QUALIFIED WILDFIRE DISTRIBUTION.—Except as provided in paragraph (2),
16 the term “qualified wildfire distribution” means
17 any distribution from an eligible retirement
18 plan made on or after October 8, 2017, and be-
19 fore January 1, 2019, to an individual whose
20 principal place of abode on October 8, 2017, is
21 located in the California wildfire disaster area
22 and who has sustained an economic loss by rea-
23 son of the wildfires to which the declaration of
24 such area relates.
25

1 (B) ELIGIBLE RETIREMENT PLAN.—The
2 term “eligible retirement plan” shall have the
3 meaning given such term by section
4 402(c)(8)(B) of the Internal Revenue Code of
5 1986.

6 (5) INCOME INCLUSION SPREAD OVER 3-YEAR
7 PERIOD.—

8 (A) IN GENERAL.—In the case of any
9 qualified wildfire distribution, unless the tax-
10 payer elects not to have this paragraph apply
11 for any taxable year, any amount required to be
12 included in gross income for such taxable year
13 shall be so included ratably over the 3-taxable-
14 year period beginning with such taxable year.

15 (B) SPECIAL RULE.—For purposes of sub-
16 paragraph (A), rules similar to the rules of sub-
17 paragraph (E) of section 408A(d)(3) of the In-
18 ternal Revenue Code of 1986 shall apply.

19 (6) SPECIAL RULES.—

20 (A) EXEMPTION OF DISTRIBUTIONS FROM
21 TRUSTEE TO TRUSTEE TRANSFER AND WITH-
22 HOLDING RULES.—For purposes of sections
23 401(a)(31), 402(f), and 3405 of the Internal
24 Revenue Code of 1986, qualified wildfire dis-

1 tributions shall not be treated as eligible roll-
2 over distributions.

3 (B) QUALIFIED WILDFIRE DISTRIBUTIONS
4 TREATED AS MEETING PLAN DISTRIBUTION RE-
5 QUIREMENTS.—For purposes the Internal Rev-
6 enue Code of 1986, a qualified wildfire distribu-
7 tion shall be treated as meeting the require-
8 ments of sections 401(k)(2)(B)(i),
9 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A)
10 of such Code.

11 (b) RECONTRIBUTIONS OF WITHDRAWALS FOR
12 HOME PURCHASES.—

13 (1) RECONTRIBUTIONS.—

14 (A) IN GENERAL.—Any individual who re-
15 ceived a qualified distribution may, during the
16 period beginning on October 8, 2017, and end-
17 ing on June 30, 2018, make one or more con-
18 tributions in an aggregate amount not to exceed
19 the amount of such qualified distribution to an
20 eligible retirement plan (as defined in section
21 402(c)(8)(B) of the Internal Revenue Code of
22 1986) of which such individual is a beneficiary
23 and to which a rollover contribution of such dis-
24 tribution could be made under section 402(c),

1 403(a)(4), 403(b)(8), or 408(d)(3), of such
2 Code, as the case may be.

3 (B) TREATMENT OF REPAYMENTS.—Rules
4 similar to the rules of subparagraphs (B) and
5 (C) of subsection (a)(3) shall apply for purposes
6 of this subsection.

7 (2) QUALIFIED DISTRIBUTION.—For purposes
8 of this subsection, the term “qualified distribution”
9 means any distribution—

10 (A) described in section
11 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only
12 to the extent such distribution relates to finan-
13 cial hardship), 403(b)(11)(B), or 72(t)(2)(F),
14 of the Internal Revenue Code of 1986,

15 (B) received after March 31, 2017, and be-
16 fore January 15, 2018, and

17 (C) which was to be used to purchase or
18 construct a principal residence in the California
19 wildfire disaster area but which was not so pur-
20 chased or constructed on account of the
21 wildfires to which the declaration of such area
22 relates.

23 (c) LOANS FROM QUALIFIED PLANS.—

24 (1) INCREASE IN LIMIT ON LOANS NOT TREAT-
25 ED AS DISTRIBUTIONS.—In the case of any loan

1 from a qualified employer plan (as defined under
2 section 72(p)(4) of the Internal Revenue Code of
3 1986) to a qualified individual made during the pe-
4 riod beginning on the date of the enactment of this
5 Act and ending on December 31, 2018—

6 (A) clause (i) of section 72(p)(2)(A) of
7 such Code shall be applied by substituting
8 “\$100,000” for “\$50,000”, and

9 (B) clause (ii) of such section shall be ap-
10 plied by substituting “the present value of the
11 nonforfeitable accrued benefit of the employee
12 under the plan” for “one-half of the present
13 value of the nonforfeitable accrued benefit of
14 the employee under the plan”.

15 (2) DELAY OF REPAYMENT.—In the case of a
16 qualified individual with an outstanding loan on or
17 after October 8, 2017, from a qualified employer
18 plan (as defined in section 72(p)(4) of the Internal
19 Revenue Code of 1986)—

20 (A) if the due date pursuant to subpara-
21 graph (B) or (C) of section 72(p)(2) of such
22 Code for any repayment with respect to such
23 loan occurs during the period beginning on Oc-
24 tober 8, 2017, and ending on December 31,
25 2018, such due date shall be delayed for 1 year,

1 (B) any subsequent repayments with re-
2 spect to any such loan shall be appropriately
3 adjusted to reflect the delay in the due date
4 under paragraph (1) and any interest accruing
5 during such delay, and

6 (C) in determining the 5-year period and
7 the term of a loan under subparagraph (B) or
8 (C) of section 72(p)(2) of such Code, the period
9 described in subparagraph (A) shall be dis-
10 regarded.

11 (3) QUALIFIED INDIVIDUAL.—For purposes of
12 this subsection, the term “qualified individual”
13 means any individual whose principal place of abode
14 on October 8, 2017, is located in the California wild-
15 fire disaster area and who has sustained an eco-
16 nomic loss by reason of wildfires to which the dec-
17 laration of such area relates.

18 (d) PROVISIONS RELATING TO PLAN AMEND-
19 MENTS.—

20 (1) IN GENERAL.—If this subsection applies to
21 any amendment to any plan or annuity contract,
22 such plan or contract shall be treated as being oper-
23 ated in accordance with the terms of the plan during
24 the period described in paragraph (2)(B)(i).

1 (2) AMENDMENTS TO WHICH SUBSECTION AP-
2 PLIES.—

3 (A) IN GENERAL.—This subsection shall
4 apply to any amendment to any plan or annuity
5 contract which is made—

6 (i) pursuant to any provision of this
7 section, or pursuant to any regulation
8 issued by the Secretary or the Secretary of
9 Labor under any provision of this section,
10 and

11 (ii) on or before the last day of the
12 first plan year beginning on or after Janu-
13 ary 1, 2019, or such later date as the Sec-
14 retary may prescribe.

15 In the case of a governmental plan (as defined
16 in section 414(d) of the Internal Revenue Code
17 of 1986), clause (ii) shall be applied by sub-
18 stituting the date which is 2 years after the
19 date otherwise applied under clause (ii).

20 (B) CONDITIONS.—This subsection shall
21 not apply to any amendment unless—

22 (i) during the period—

23 (I) beginning on the date that
24 this section or the regulation de-
25 scribed in subparagraph (A)(i) takes

1 effect (or in the case of a plan or con-
 2 tract amendment not required by this
 3 section or such regulation, the effec-
 4 tive date specified by the plan), and

5 (II) ending on the date described
 6 in subparagraph (A)(ii) (or, if earlier,
 7 the date the plan or contract amend-
 8 ment is adopted),

9 the plan or contract is operated as if such plan
 10 or contract amendment were in effect, and

11 (ii) such plan or contract amendment
 12 applies retroactively for such period.

13 **SEC. 5003. EMPLOYEE RETENTION CREDIT FOR EMPLOY-**
 14 **ERS AFFECTED BY CALIFORNIA WILDFIRES.**

15 (a) IN GENERAL.—For purposes of section 38 of the
 16 Internal Revenue Code of 1986, in the case of an eligible
 17 employer, the California wildfire employee retention credit
 18 shall be treated as a credit listed in subsection (b) of such
 19 section. For purposes of this subsection, the California
 20 wildfire employee retention credit for any taxable year is
 21 an amount equal to 40 percent of the qualified wages with
 22 respect to each eligible employee of such employer for such
 23 taxable year. For purposes of the preceding sentence, the
 24 amount of qualified wages which may be taken into ac-

1 count with respect to any individual shall not exceed
2 \$6,000.

3 (b) DEFINITIONS.—For purposes of this section—

4 (1) ELIGIBLE EMPLOYER.—The term “eligible
5 employer” means any employer—

6 (A) which conducted an active trade or
7 business on October 8, 2017, in the California
8 wildfire disaster zone, and

9 (B) with respect to whom the trade or
10 business described in subparagraph (A) is inop-
11 erable on any day after October 8, 2017, and
12 before January 1, 2018, as a result of damage
13 sustained by reason of the wildfires to which
14 such declaration of such area relates.

15 (2) ELIGIBLE EMPLOYEE.—The term “eligible
16 employee” means with respect to an eligible em-
17 ployer an employee whose principal place of employ-
18 ment on October 8, 2017, with such eligible em-
19 ployer was in the California wildfire disaster zone.

20 (3) QUALIFIED WAGES.—The term “qualified
21 wages” means wages (as defined in section 51(c)(1)
22 of the Internal Revenue Code of 1986, but without
23 regard to section 3306(b)(2)(B) of such Code) paid
24 or incurred by an eligible employer with respect to
25 an eligible employee on any day after October 8,

1 2017, and before January 1, 2018, which occurs
2 during the period—

3 (A) beginning on the date on which the
4 trade or business described in paragraph (1)
5 first became inoperable at the principal place of
6 employment of the employee immediately before
7 the wildfires to which the declaration of the
8 California wildfire disaster area relates, and

9 (B) ending on the date on which such
10 trade or business has resumed significant oper-
11 ations at such principal place of employment.

12 Such term shall include wages paid without regard
13 to whether the employee performs no services, per-
14 forms services at a different place of employment
15 than such principal place of employment, or per-
16 forms services at such principal place of employment
17 before significant operations have resumed.

18 (c) CERTAIN RULES TO APPLY.—For purposes of
19 this section, rules similar to the rules of sections 51(i)(1),
20 52, and 280C(a) of the Internal Revenue Code of 1986,
21 shall apply.

22 (d) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE
23 THAN ONCE.—An employee shall not be treated as an eli-
24 gible employee for purposes of this section for any period
25 with respect to any employer if such employer is allowed

1 a credit under section 51 of the Internal Revenue Code
2 of 1986 with respect to such employee for such period.

3 **SEC. 5004. ADDITIONAL DISASTER-RELATED TAX RELIEF**
4 **PROVISIONS.**

5 (a) TEMPORARY SUSPENSION OF LIMITATIONS ON
6 CHARITABLE CONTRIBUTIONS.—

7 (1) IN GENERAL.—Except as otherwise pro-
8 vided in paragraph (2), subsection (b) of section 170
9 of the Internal Revenue Code of 1986 shall not
10 apply to qualified contributions and such contribu-
11 tions shall not be taken into account for purposes of
12 applying subsections (b) and (d) of such section to
13 other contributions.

14 (2) TREATMENT OF EXCESS CONTRIBUTIONS.—
15 For purposes of section 170 of the Internal Revenue
16 Code of 1986—

17 (A) INDIVIDUALS.—In the case of an indi-
18 vidual—

19 (i) LIMITATION.—Any qualified con-
20 tribution shall be allowed only to the ex-
21 tent that the aggregate of such contribu-
22 tions does not exceed the excess of the tax-
23 payer's contribution base (as defined in
24 subparagraph (G) of section 170(b)(1) of
25 such Code) over the amount of all other

1 charitable contributions allowed under sec-
2 tion 170(b)(1) of such Code.

3 (ii) CARRYOVER.—If the aggregate
4 amount of qualified contributions made in
5 the contribution year (within the meaning
6 of section 170(d)(1) of such Code) exceeds
7 the limitation of clause (i), such excess
8 shall be added to the excess described in
9 the portion of subparagraph (A) of such
10 section which precedes clause (i) thereof
11 for purposes of applying such section.

12 (B) CORPORATIONS.—In the case of a cor-
13 poration—

14 (i) LIMITATION.—Any qualified con-
15 tribution shall be allowed only to the ex-
16 tent that the aggregate of such contribu-
17 tions does not exceed the excess of the tax-
18 payer's taxable income (as determined
19 under paragraph (2) of section 170(b) of
20 such Code) over the amount of all other
21 charitable contributions allowed under such
22 paragraph.

23 (ii) CARRYOVER.—Rules similar to the
24 rules of subparagraph (A)(ii) shall apply
25 for purposes of this subparagraph.

1 (3) EXCEPTION TO OVERALL LIMITATION ON
2 ITEMIZED DEDUCTIONS.—So much of any deduction
3 allowed under section 170 of the Internal Revenue
4 Code of 1986 as does not exceed the qualified con-
5 tributions paid during the taxable year shall not be
6 treated as an itemized deduction for purposes of sec-
7 tion 68 of such Code.

8 (4) QUALIFIED CONTRIBUTIONS.—

9 (A) IN GENERAL.—For purposes of this
10 subsection, the term “qualified contribution”
11 means any charitable contribution (as defined
12 in section 170(c) of the Internal Revenue Code
13 of 1986) if—

14 (i) such contribution—

15 (I) is paid during the period be-
16 ginning on October 8, 2017, and end-
17 ing on December 31, 2017, in cash to
18 an organization described in section
19 170(b)(1)(A) of such Code, and

20 (II) is made for relief efforts in
21 the California wildfire disaster area,

22 (ii) the taxpayer obtains from such or-
23 ganization contemporaneous written ac-
24 knowledgment (within the meaning of sec-
25 tion 170(f)(8) of such Code) that such con-

1 tribution was used (or is to be used) for
2 relief efforts described in clause (i)(II),
3 and

4 (iii) the taxpayer has elected the ap-
5 plication of this subsection with respect to
6 such contribution.

7 (B) EXCEPTION.—Such term shall not in-
8 clude a contribution by a donor if the contribu-
9 tion is—

10 (i) to an organization described in sec-
11 tion 509(a)(3) of the Internal Revenue
12 Code of 1986, or

13 (ii) for the establishment of a new, or
14 maintenance of an existing, donor advised
15 fund (as defined in section 4966(d)(2) of
16 such Code).

17 (C) APPLICATION OF ELECTION TO PART-
18 NERSHIPS AND S CORPORATIONS.—In the case
19 of a partnership or S corporation, the election
20 under subparagraph (A)(iii) shall be made sepa-
21 rately by each partner or shareholder.

22 (b) SPECIAL RULES FOR QUALIFIED DISASTER-RE-
23 LATED PERSONAL CASUALTY LOSSES.—

24 (1) IN GENERAL.—If an individual has a net
25 disaster loss for any taxable year—

1 (A) the amount determined under section
2 165(h)(2)(A)(ii) of the Internal Revenue Code
3 of 1986 shall be equal to the sum of—

4 (i) such net disaster loss, and

5 (ii) so much of the excess referred to
6 in the matter preceding clause (i) of sec-
7 tion 165(h)(2)(A) of such Code (reduced
8 by the amount in clause (i) of this sub-
9 paragraph) as exceeds 10 percent of the
10 adjusted gross income of the individual,

11 (B) section 165(h)(1) of such Code shall
12 be applied by substituting “\$500” for “\$500
13 (\$100 for taxable years beginning after Decem-
14 ber 31, 2009)”,

15 (C) the standard deduction determined
16 under section 63(c) of such Code shall be in-
17 creased by the net disaster loss, and

18 (D) section 56(b)(1)(E) of such Code shall
19 not apply to so much of the standard deduction
20 as is attributable to the increase under sub-
21 paragraph (C) of this paragraph.

22 (2) NET DISASTER LOSS.—For purposes of this
23 subsection, the term “net disaster loss” means the
24 excess of qualified disaster-related personal casualty
25 losses over personal casualty gains (as defined in

1 section 165(h)(3)(A) of the Internal Revenue Code
2 of 1986).

3 (3) QUALIFIED DISASTER-RELATED PERSONAL
4 CASUALTY LOSSES.—For purposes of this sub-
5 section, the term “qualified disaster-related personal
6 casualty losses” means losses described in section
7 165(c)(3) of the Internal Revenue Code of 1986
8 which arise in the California wildfire disaster area
9 on or after October 8, 2017, and which are attrib-
10 utable to the wildfires to which the declaration of
11 such area relates.

12 (c) SPECIAL RULE FOR DETERMINING EARNED IN-
13 COME.—

14 (1) IN GENERAL.—In the case of a qualified in-
15 dividual, if the earned income of the taxpayer for the
16 taxable year which includes the applicable date is
17 less than the earned income of the taxpayer for the
18 preceding taxable year, the credits allowed under
19 sections 24(d) and 32 of the Internal Revenue Code
20 of 1986 may, at the election of the taxpayer, be de-
21 termined by substituting—

22 (A) such earned income for the preceding
23 taxable year, for

24 (B) such earned income for the taxable
25 year which includes October 8, 2017.

1 (2) QUALIFIED INDIVIDUAL.—For purposes of
2 this subsection, the term “qualified individual”
3 means any individual whose principal place of abode
4 on October 8, 2017, was located—

5 (A) in the California wildfire disaster zone,

6 or

7 (B) in the California wildfire disaster area
8 (but outside the California wildfire disaster
9 zone) and such individual was displaced from
10 such principal place of abode by reason of the
11 wildfires to which the declaration of such area
12 relates.

13 (3) EARNED INCOME.—For purposes of this
14 subsection, the term “earned income” has the mean-
15 ing given such term under section 32(c) of the Inter-
16 nal Revenue Code of 1986.

17 (4) SPECIAL RULES.—

18 (A) APPLICATION TO JOINT RETURNS.—

19 For purposes of paragraph (1), in the case of
20 a joint return for a taxable year which includes
21 October 8, 2017—

22 (i) such paragraph shall apply if ei-
23 ther spouse is a qualified individual, and

24 (ii) the earned income of the taxpayer
25 for the preceding taxable year shall be the

1 sum of the earned income of each spouse
2 for such preceding taxable year.

3 (B) UNIFORM APPLICATION OF ELEC-
4 TION.—Any election made under paragraph (1)
5 shall apply with respect to both sections 24(d)
6 and 32, of the Internal Revenue Code of 1986.

7 (C) ERRORS TREATED AS MATHEMATICAL
8 ERROR.—For purposes of section 6213 of the
9 Internal Revenue Code of 1986, an incorrect
10 use on a return of earned income pursuant to
11 paragraph (1) shall be treated as a mathe-
12 matical or clerical error.

13 (D) NO EFFECT ON DETERMINATION OF
14 GROSS INCOME, ETC.—Except as otherwise pro-
15 vided in this subsection, the Internal Revenue
16 Code of 1986 shall be applied without regard to
17 any substitution under paragraph (1).

18 **TITLE II—TAX RELIEF FOR HUR-**
19 **RICANES HARVEY, IRMA, AND**
20 **MARIA**

21 **SEC. 5101. TAX RELIEF FOR HURRICANES HARVEY, IRMA,**
22 **AND MARIA.**

23 (a) MODIFICATION OF HURRICANES HARVEY AND
24 IRMA DISASTER AREAS.—Subsections (a)(2) and (b)(2) of
25 section 501 of the Disaster Tax Relief and Airport and

1 Airway Extension Act of 2017 (Public Law 115-63; 131
 2 Stat. 1173) are both amended by striking “September 21,
 3 2017” and inserting “October 17, 2017”.

4 (b) EMPLOYEE RETENTION CREDIT.—Subsections
 5 (a)(3), (b)(3), and (c)(3) of section 503 of the Disaster
 6 Tax Relief and Airport and Airway Extension Act of 2017
 7 (Public Law 115-63; 131 Stat. 1181) are each amended
 8 by striking “sections 51(i)(1) and 52” and inserting “sec-
 9 tions 51(i)(1), 52, and 280C(a)”.

10 (c) EFFECTIVE DATE.—The amendments made by
 11 this section shall take effect as if included in the provisions
 12 of title V of the Disaster Tax Relief and Airport and Air-
 13 way Extension Act of 2017 to which such amendments
 14 relate.

15 **TITLE III—BUDGETARY EFFECTS**

16 **SEC. 5201. EMERGENCY DESIGNATION.**

17 This division is designated as an emergency require-
 18 ment pursuant to section 4(g) of the Statutory Pay-As-
 19 You-Go Act of 2010 (2 U.S.C. 933(g)).

20 **SEC. 5202. DESIGNATION IN SENATE.**

21 In the Senate, this division is designated as an emer-
 22 gency requirement pursuant to section 403(a) of S. Con.

- 1 Res. 13 (111th Congress), the concurrent resolution on
- 2 the budget for fiscal year 2010.

Passed the House of Representatives December 21,
2017.

Attest:

KAREN L. HAAS,

Clerk.