

Accordingly, I urge my colleagues to join me in supporting this important legislation, as we continue to stand for victims and against the viciousness of sexual crimes of any kind, protect them, and bring the perpetrators to justice. I ask for a "yes" vote for this legislation.

Mr. Speaker, I rise in support of S. 1766, the "Sexual Assault Forensic Evidence Reporting" or the (SAFER) Act of 2017."

This bipartisan legislation passed the Senate October 23, 2017.

S. 1766 will reauthorize the DNA Analysis Backlog Elimination Act of 2000 through the year 2022, by amending the language in section 2(c)(4) of the (34 U.S.C. 40701(c)(4)).

Furthermore, this legislation also amends Section 304(c)(2) of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723(c)(2)) by ensuring that role of forensic nurses pertains to both adult and pediatric care.

The SAFER Act also amends this statute by making a provision after "elder abuse" for the need of nurse examiners, particularly, where there is the need for pediatric sexual assault nurse examiners, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents".

Finally, this legislation will sunset through 2023 by amending Section 1006 of the SAFER Act of 2013 (34 U.S.C. 40701 note).

The SAFER Act is a critical program administered by the U.S. Department of Justice that allows:

Local law enforcement programs to obtain funding for programs to reduce the rape kit backlog in communities across the country.

Victims of sexual assault get justice more quickly than in the past.

35% of funds available under the Debbie Smith Act for grants to local law enforcement agencies to focus more resources on rape kit testing.

5%–7% of the Debbie Smith Act funding to be used by local jurisdictions to conduct one-year audits of untested sexual assault evidence to identify serious areas of backlog.

Forensic testing to be done by both pediatric and adult sexual assault nurse examiners.

This is a very important measure that will address the large volume of cases that fester due to the excessive back log in our processing of rape kits.

According to the National Institute of Justice, a multidisciplinary, victim-centered approach and standardized, efficient evidence processing in sexual assault cases are the focus of its new report.

The report, National Best Practices for Sexual Assault Kits, outlines 35 suggestions for laboratories and law enforcement to improve their sexual assault investigations, tackling issues such as evidence collection, storage and maintenance; backlog tracking & processing; victim advocacy and notification; and sensitivity to trauma in sexual assault victims.

A working group—consisting of victims and victim advocates, sexual assault nurse examiners and medical examiners, forensic laboratories, law enforcement agencies, prosecutors and members of the judiciary—developed the suggestions over a two-year period following the Sexual Assault Forensic Evidence Reporting (SAFER) Act of 2013, a component of the Violence Against Women Act.

A victim centered approach is the focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a nonjudgmental manner. A trauma-informed approach considers the impact of trauma and victim safety considerations.

Utilizing both approaches in the development and implementation of policies and procedures leads to more timely submission of evidence to forensic laboratories, enhances communications and investigative procedures, promotes better informed prosecutorial decision-making, and ultimately may reduce re-traumatization of victims by the criminal justice system.

In fact, these approaches are more likely to increase victim participation and thereby, support more complete investigations, increasing the overall likelihood of successful prosecutions."

For these reasons, I support this bill.

Victims of sexual assault require justice that is swift, thorough, and expedient, so that they may begin to heal and attempt to put the pieces of their lives back together. They deserve the best efforts of law enforcement to help them along the way.

This legislation would reauthorize the SAFER Act, provide funding to conduct one-year audits of untested sexual assault evidence, and ensure that law enforcement agencies across the country are trained and armed with the skills and tools they require to stand against sexual assault, and stand for those individuals who might be victimized.

The SAFER Act would also ensure that forensic nurses are eligible for training under the program. These professionals perform indispensable functions within the investigation of sexual abuse cases. They also provide specialized care and attention to children, youth, and the elderly, who are sexually abused. This legislation would help local authorities make certain that state and local forensic nurses are fully capable of providing such an important service to child victims.

Our citizens deserve to be protected and remain free from harm. We have a responsibility to do all that we can during those unfortunate times where one of them might be victimized.

Accordingly, I urge my colleagues to join me in supporting this important legislation as we continue to stand for victims and against sexual crimes of any kind.

Mr. Speaker, I yield back the balance of my time.

Mrs. HANDEL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me start by recognizing the tremendous leadership of my colleague, Representative TED POE from Texas. I thank him for giving me the honor of being his wing woman in presenting this important piece of legislation today.

And, indeed, the SAFER Act is an important piece of legislation to reinforce the efforts of our local and State law enforcement in their work to reduce the number of untested rape kits and help take these sexual assault predators off the streets.

At the same time, this legislation underscores the critical role that the pediatric sexual assault examiners play in this process and makes them eligible for key training.

So, again, I ask my colleagues to pass this bill, and I yield back the balance of my time.

□ 1445

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Georgia (Mrs. HANDEL) that the House suspend the rules and pass the bill, S. 1766.

The question was taken.

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

Mrs. HANDEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

FURTHER SUPPLEMENTAL APPROPRIATIONS ACT, 2018

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 4667.

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

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 670, I call up the bill (H.R. 4667) 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 670, the amendments printed in House Report 115-477 are adopted.

The bill, as amended, contains an emergency designation pursuant to section 4(g)(1) of the Statutory Pay-As-You-Go Act of 2010. Accordingly, the Chair must put the question of consideration under section 4(g)(2) of the Statutory Pay-As-You-Go Act of 2010.

The question is, Will the House now consider the bill?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4667

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

DIVISION A—DISASTER ASSISTANCE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY

For an additional amount for the “Office of the Secretary”, \$2,600,000,000, which shall remain available until September 30, 2019, for necessary expenses related to crops, trees, bushes, vines, and livestock losses resulting from Hurricanes Harvey, Irma, Maria, and other hurricanes and wildfires occurring in calendar year 2017 under such terms and conditions as determined by the Secretary: *Provided*, That the Secretary may provide assistance for such losses in the form of block grants to eligible states and territories: *Provided further*, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 85 percent of the loss as determined by the Secretary: *Provided further*, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the 2017 crop year, or 2018 crop year in the case of citrus, under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the 2017 crop year under NAP for the crop incurring the losses shall not exceed 65 percent of the loss as determined by the Secretary: *Provided further*, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: *Provided further*, That, not later than 90 days after the end of fiscal year 2018, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory and the status of the amounts obligated and plans for further expenditure and include improvements that can be made to Federal Crop Insurance policies, either administratively or legislatively, to increase participation, particularly among underserved producers, in higher levels of coverage in future years for crops qualifying for assistance under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$2,500,000, to remain available until expended, for oversight and audit of programs, grants, and activities funded by this division and administered by the Department of Agriculture: *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.

AGRICULTURAL RESEARCH SERVICE
BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities”, \$22,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma and 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.

FARM SERVICE AGENCY
EMERGENCY CONSERVATION PROGRAM

For an additional amount for the “Emergency Conservation Program” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria and of wildfires occurring in calendar year 2017, and other natural disasters, \$400,000,000, to remain available until expended: *Provided*, That not less than \$300,000,000 of the amount made available in the previous proviso shall be for necessary expenses resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, 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.

NATURAL RESOURCES CONSERVATION SERVICE
WATERSHED AND FLOOD PREVENTION
OPERATIONS

For an additional amount, for “Watershed and Flood Prevention Operations”, for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Harvey, Irma, and Maria and of wildfires occurring in calendar year 2017, and other natural disasters, \$541,000,000, to remain available until expended: *Provided*, That not less than \$400,000,000 of the amount made available in the previous proviso shall be for necessary expenses resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, 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.

RURAL DEVELOPMENT PROGRAMS

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM
ACCOUNT

For an additional amount for costs of direct loans, including costs relating to modification of such loans, as those terms are defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), \$18,672,000 shall be for direct loans for the rehabilitation of section 515 rental housing (42 U.S.C. 1485) in locations where owners were not required to carry national flood insurance, to remain available until September 30, 2019: *Provided*, That such funds shall be for areas impacted by Hurricanes Harvey, Irma, and Maria: *Provided further*, 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.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM
ACCOUNT

For an additional amount for the “Rural Water and Waste Disposal Program Account”, \$165,475,000, to remain available until expended, for grants to repair drinking water systems and sewer and solid waste disposal systems impacted by Hurricanes Harvey, Irma, and Maria: *Provided*, That not to exceed \$2,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of the Consolidated Farm and Rural Development

Act: *Provided further*, 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.

FOOD AND NUTRITION SERVICE
COMMODITY ASSISTANCE PROGRAM

For an additional amount for “Commodity Assistance Program” for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)), \$24,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provisions of the Emergency Food Assistance Act of 1983, the Secretary of Agriculture may allocate additional foods and funds for administrative expenses from resources specifically appropriated, transferred, or reprogrammed to provide resources to Puerto Rico, the United States Virgin Islands, and States affected by wildfires occurring in calendar year 2017 or Hurricanes Harvey, Irma, and Maria, as determined by the Secretary, without regard to sections 204 and 214 of such Act (7 U.S.C. 7508, 7515): *Provided further*, That such funds will be designated for States impacted by Hurricanes Harvey, Irma, and Maria, or wildfire and subject to a federal major disaster or emergency declaration: *Provided further*, 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.

DEPARTMENT OF HEALTH AND HUMAN
SERVICESFOOD AND DRUG ADMINISTRATION
BUILDINGS AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Buildings and Facilities”, \$7,600,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: *Provided*, That such amount may be transferred to “Department of Health and Human Services—Food and Drug Administration Salaries and Expenses” for costs related to repair of facilities, for replacement of equipment, and for other increases in facility-related costs: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated by this paragraph: *Provided further*, 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.

GENERAL PROVISION—THIS TITLE

SEC. 101. (a) Section 1501(d)(1) of the Agricultural Act of 2014 (7 U.S.C. 9081(d)(1)) is amended by striking “not more than \$20,000,000” and inserting “not more than \$40,000,000”.

(b) The amount provided by subsection (a) for fiscal year 2018 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.

TITLE II

DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE
PROGRAMS
(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for “Economic Development Assistance Programs” for necessary expenses related to

flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Harvey, Irma, and Maria, and the calendar year 2017 wildfires, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$600,000,000, to remain available until expended: *Provided*, That the amount provided under this heading 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: *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 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, ACQUISITION AND CONSTRUCTION

For an additional amount for “Procurement, Acquisition and Construction” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$79,232,000, to remain available until September 30, 2020, as follows: (1) \$29,232,000 for repair and replacement of Federal real property and observing assets; and (2) \$50,000,000 for improvements to operational and research weather supercomputing infrastructure and for improvement of satellite ground services used in hurricane intensity and track prediction: *Provided*, That the amount provided under this heading 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.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$2,500,000: *Provided*, That the amount provided under this heading 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.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$21,200,000: *Provided*, That

the amount provided under this heading 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.

DRUG ENFORCEMENT ADMINISTRATION
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$11,500,000: *Provided*, That the amount provided under this heading 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.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$16,000,000: *Provided*, That the amount provided under this heading 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.

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$34,000,000, to remain available until expended: *Provided*, That the amount provided under this heading 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.

SCIENCE

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION

CONSTRUCTION AND ENVIRONMENTAL
COMPLIANCE AND RESTORATION

For an additional amount for “Construction and Environmental Compliance and Restoration” for repairs at National Aeronautics and Space Administration facilities damaged by hurricanes during 2017, \$81,300,000, to remain available until expended: *Provided*, That the amount provided under this heading 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.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For an additional amount for “Research and Related Activities” for necessary expenses to repair National Science Foundation radio observatory facilities damaged by hurricanes that occurred during 2017, \$16,300,000, to remain available until expended: *Provided*, That the amount provided under this heading 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: *Provided further*, That the National Science Foundation shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES
CORPORATION

For an additional amount for “Payment to the Legal Services Corporation” to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricanes

Harvey, Irma, and Maria, \$1,000,000: *Provided*, That the amount made available under this heading shall be used only to provide the mobile resources, technology, and disaster coordinators necessary to provide storm-related services to the Legal Services Corporation client population and only in the areas significantly affected by Hurricanes Harvey, Irma, and Maria: *Provided further*, 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: *Provided further*, That none of the funds appropriated in this division to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this division to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2017 and 2018, respectively, and except that sections 501 and 503 of Public Law 104-134 (referenced by Public Law 105-119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this division, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$20,110,000, 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, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$267,796,000, 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, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$17,920,000, 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, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$20,916,000, 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, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$2,650,000,

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 RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$12,500,000, 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, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$2,922,000, 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, 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 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.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds" for the Navy Working Capital Fund, \$9,486,000, 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.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for operation and maintenance for "Defense Health Pro-

gram", \$704,000, 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.

TITLE IV

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for "Investigations" for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$75,000,000, to remain available until expended to expedite and complete at full Federal expense studies, including Preconstruction Engineering and Design, for flood and storm damage reduction, including shore protection, in areas that were affected by Hurricanes Harvey, Irma, or Maria: *Provided*, That the Secretary may use funding provided under this heading to complete ongoing studies, to initiate and complete up to two authorized studies for assessing regional flood and storm risks, and to initiate and complete up to six authorized feasibility studies: *Provided further*, That the Secretary shall consider giving priority to studies in areas that suffered the most damage from these hurricanes and to studies in areas that have had multiple major disaster declarations in recent years: *Provided further*, That a report identifying all ongoing studies, authorized studies for assessing regional flood and storm risks in the impacted areas, and authorized feasibility studies eligible for funding under this heading, including identification of whether each study is in a category to be considered for priority, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act: *Provided further*, That no allocation shall be made to initiate any new study until the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate a list of all new studies selected to be initiated using funds provided under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of natural disasters, including Hurricanes Harvey, Irma, and Maria, \$10,480,000,000, to remain available until expended to rehabilitate, repair, and construct United States Army Corps of Engineers projects: *Provided*, That \$55,000,000 of the funds provided under this heading shall be used to address emergency situations at Corps of Engineers projects, and to rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters: *Provided further*, That \$10,425,000,000 of the funds provided under this heading shall be used to expedite construction of projects for flood and storm damage reduction, including shore protection, in areas that were affected by Hurricanes Harvey, Irma, or Maria: *Pro-*

vided further, That the Secretary shall consider giving priority to projects located in areas that suffered the most damage from these hurricanes and to projects located in areas that have had multiple major disaster declarations in recent years: *Provided further*, That funding utilized for authorized shore protection projects shall restore such projects from the design level of protection to the full project profile at full Federal expense: *Provided further*, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: *Provided further*, That upon approval of the Committees on Appropriations of the House of Representatives and the Senate funds provided under this heading may be used to construct any project studied using funds provided under the heading "Investigations" or any project with a completed Chief's Report that has not yet been authorized if the Secretary determines that the project is technically feasible, economically justified, and environmentally acceptable: *Provided further*, That, using these funds, the non-Federal cash contribution for authorized but unconstructed projects, projects with completed Chief's Reports that have not yet been authorized, or projects that are funded as ongoing studies under the heading "Investigations" shall be financed in accordance with the provisions of section 103(k) of Public Law 99-662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That a report identifying all ongoing construction projects, authorized but unconstructed projects, and projects with completed Chief's Reports that have not yet been authorized, including project cost estimates and identification of whether each project is in a category to be considered for priority, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this Act: *Provided further*, That not more than \$500,000,000 of the funds provided to expedite construction shall be available until such report is submitted: *Provided further*, That for projects funded under this heading, the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: *Provided further*, That up to \$50,000,000 of the funds provided to expedite construction shall be used to expedite continuing authorities projects to reduce the risk of flooding and storm damage in areas impacted by Hurricanes Harvey, Irma, or Maria: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for "Mississippi River and Tributaries", \$370,000,000, to remain available until expended, for necessary

expenses to dredge navigation projects in response to, and repair damages to Corps of Engineers projects caused by, natural disasters: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses to dredge navigation projects in response to, and repair damages to Corps of Engineers projects caused by, natural disasters, \$608,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters, as authorized by law, \$537,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

EXPENSES

For an additional amount for “Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$20,000,000, to remain available until expended to oversee emergency response and recovery activities: *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: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For an additional amount for “Electricity Delivery and Energy Reliability”, \$13,000,000,

to remain available until expended, for necessary expenses related to natural disasters, including technical assistance related to electric grids: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STRATEGIC PETROLEUM RESERVE

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

GENERAL PROVISION—THIS TITLE

SEC. 401. In fiscal year 2018 and each fiscal year thereafter, the Chief of Engineers of the U.S. Army Corps of Engineers shall transmit to the Congress, after reasonable opportunity for comment, but without change, by the Assistant Secretary of the Army for Civil Works, a monthly report, the first of which shall be transmitted to Congress not later than 2 days after the date of enactment of this Act and monthly thereafter, which includes detailed estimates of damages to each Corps of Engineers project, caused by natural disasters or otherwise.

TITLE V

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

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

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Small Business Administration—Disaster Loans Program Account” for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$1,652,000,000, to remain available until expended: *Provided*, That up to \$618,000,000 may be transferred to and merged with “Salaries and Expenses” for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: *Provided further*, That none of the funds provided under this heading may be used for indirect administrative expenses: *Provided further*, That the amount provided under this heading 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.

OFFICE OF INSPECTOR GENERAL

For an additional amount for the “Small Business Administration—Office of Inspector General”, \$7,000,000, to remain available until expended: *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.

TITLE VI

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$25,000,000, to remain available until September 30, 2020, for audits and investigations of activities funded by this title: *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.

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$104,494,000, to remain available until September 30, 2019: *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: *Provided further*, That not more than \$39,400,000 may be used to carry out U.S. Customs and Border Protection activities in fiscal year 2018 in Puerto Rico and the United States Virgin Islands, in addition to any other amounts available for such purposes.

PROCUREMENT, CONSTRUCTION, AND

IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$3,000,000, to remain available until September 30, 2022: *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: *Provided further*, That funds are provided to carry out U.S. Customs and Border Protection activities in Puerto Rico and the United States Virgin Islands, in addition to any other amounts available for such purposes.

U.S. IMMIGRATION AND CUSTOMS

ENFORCEMENT

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$30,905,000, to remain available until September 30, 2019: *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, CONSTRUCTION, AND

IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$33,052,000, to remain available until September 30, 2022: *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.

TRANSPORTATION SECURITY ADMINISTRATION

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related

to the consequences of Hurricanes Harvey, Irma, and Maria, \$10,322,000, to remain available until September 30, 2019: *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.

COAST GUARD
OPERATING EXPENSES

For an additional amount for “Operating Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$112,136,000, to remain available until September 30, 2019: *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.

ENVIRONMENTAL COMPLIANCE AND
RESTORATION

For an additional amount for “Environmental Compliance and Restoration” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$4,038,000, to remain available until September 30, 2022: *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.

ACQUISITION, CONSTRUCTION, AND
IMPROVEMENTS

For an additional amount for “Acquisition, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, Maria, and Matthew, \$718,919,000, to remain available until September 30, 2022: *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.

FEDERAL EMERGENCY MANAGEMENT AGENCY
OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses, \$58,800,000, to remain available until September 30, 2019: *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, CONSTRUCTION, AND
IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses, \$1,200,000, to remain available until September 30, 2020: *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.

DISASTER RELIEF FUND
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Disaster Relief Fund” for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$27,500,000,000, to remain available until expended: *Provided*, That the Administrator of the Federal Emergency Management Agency shall publish on the Agency’s website not later than 5 days after an award of a public assistance grant under section 406 or 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172 or 5189f) that is in excess of \$1,000,000, the specifics of each such grant award: *Provided further*, That for any mission

assignment or mission assignment task order to another Federal department or agency regarding a major disaster in excess of \$1,000,000, not later than 5 days after the issuance of such mission assignment or mission assignment task order, the Administrator shall publish on the Agency’s website the following: the name of the impacted State, the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in the preceding proviso is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That for a disaster declaration related to Hurricanes Harvey, Irma, or Maria, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this Act, and shall publish on the Agency’s website, not later than 10 days after the first day of each such month, an estimate or actual amount, if available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and any other relevant category (including emergency measures and disaster resources): *Provided further*, That not later than 10 days after the first day of each month, the Administrator shall publish on the Agency’s website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 114-4.

Of the amounts provided under this heading for the Disaster Relief Fund, up to \$4,000,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) to be used to assist local governments in providing essential services as a result of Hurricanes Harvey, Irma, or Maria: *Provided further*, That such amounts may subsidize gross obligations for the principal amount of direct loans not to exceed \$4,000,000,000 under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184): *Provided further*, That notwithstanding section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), a territory or possession, and instrumentalities and local governments thereof, of the United States shall be deemed to be a local government for purposes of this paragraph: *Provided further*, That notwithstanding section 417(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184(b)), the amount of any such loan issued to a territory or possession, and instrumentalities and local governments thereof, may be based on the projected loss of tax and other revenues and on projected cash outlays not previously budgeted for a period not to exceed 180 days from the date of the major disaster, and may exceed \$5,000,000: *Provided further*, That notwithstanding any other provision of law or the constitution of a territory or possession that limits the issuance of debt, a territory or possession, and instrumentalities and local governments thereof, may each receive more than one loan with repayment provisions and other terms specific to the type of lost tax and other revenues and on projected unbudgeted cash outlays for which the loan is provided: *Provided further*, That notwithstanding section 417(c)(1) of the Robert T. Stafford Disaster Relief and Emergency As-

sistance Act (42 U.S.C. 5184(c)(1)), loans to a territory or possession, and instrumentalities and local governments thereof, may be cancelled in whole or in part only at the discretion of the Secretary of Homeland Security in consultation with the Secretary of the Treasury: *Provided further*, That notwithstanding any other provision of law, the Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall determine the terms, conditions, eligible uses, and timing and amount of Federal disbursements of loans issued to a territory or possession, and instrumentalities and local governments thereof: *Provided further*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That the Federal Emergency Management Agency may transfer up to 1.5 percent of the amount under this paragraph to the Disaster Assistance Direct Loan Program Account for administrative expenses to carry out under this paragraph the direct loan program, as authorized by section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184): *Provided further*, That of the amount provided under this paragraph for transfer, up to \$150,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for the cost to lend a territory or possession of the United States that portion of assistance for which the territory or possession is responsible under the cost-sharing provisions of the major disaster declaration for Hurricanes Irma or Maria, as authorized under section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162): *Provided further*, That of the amount provided under this paragraph for transfer, up to \$1,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for administrative expenses to carry out the Advance of Non-Federal Share program, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162): *Provided further*, That the amount provided under this heading 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.

FEDERAL LAW ENFORCEMENT TRAINING
CENTERS

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$5,374,000, to remain available until September 30, 2019: *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, CONSTRUCTION, AND
IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$5,000,000, to remain available until September 30, 2022: *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.

GENERAL PROVISIONS—THIS TITLE

SEC. 601. The Administrator of the Federal Emergency Management Agency may provide assistance, pursuant to section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et

seq.), for critical services as defined in section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act for the duration of the recovery for incidents DR-4336-PR, DR-4339-PR, DR-4340-USVI, and DR-4335-USVI to—

(1) replace or restore the function of a facility or system to industry standards without regard to the pre-disaster condition of the facility or system; and

(2) replace or restore components of the facility or system not damaged by the disaster where necessary to fully effectuate the replacement or restoration of disaster-damaged components to restore the function of the facility or system to industry standards.

SEC. 602. (a) The Federal share of assistance, including direct Federal assistance, provided under section 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5173), with respect to a major disaster declared pursuant to such Act for damages resulting from a wildfire in calendar year 2017, shall be 90 percent of the eligible costs under such section.

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

TITLE VII

DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$210,629,000, to remain available until expended: *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.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the “Historic Preservation Fund” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$17,500,000, to remain available until September 30, 2019, including costs to States necessary to complete compliance activities required by section 306108 of title 54, United States Code (formerly section 106 of the National Historic Preservation Act), and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, 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.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$207,600,000, to remain available until expended: *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.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for “Surveys, Investigations, and Research” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, and in those areas impacted by a major disaster de-

clared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to wildfires in 2017, \$42,246,000, to remain available until expended: *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.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for “Technical Assistance” for financial management expenses related to the consequences of Hurricanes Irma and Maria, \$3,000,000, to remain available until expended: *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.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$2,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for “Hazardous Substance Superfund” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$6,200,000, to remain available until expended: *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.

LEAKING UNDERGROUND STORAGE TANK FUND

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

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for “State and Private Forestry” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$7,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for “National Forest System” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, \$20,652,000, to remain available until expended: *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.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement and Maintenance” for necessary

expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, and the 2017 fire season, \$91,600,000, to remain available until expended: *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.

GENERAL PROVISION—THIS TITLE

SEC. 701. Agencies receiving funds appropriated by this title shall each provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds by account, beginning not later than 90 days after enactment of this Act.

TITLE VIII

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Training and Employment Services”, \$30,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria or the calendar year 2017 wildfires with major disaster or emergency declarations under titles IV or V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act in calendar year 2017, which shall remain available until September 30, 2019: *Provided*, That these sums may be used to replace grant funds previously obligated to the impacted areas: *Provided further*, 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.

JOB CORPS

For an additional amount for “Job Corps” for construction, rehabilitation and acquisition for Job Corps Centers in Puerto Rico, \$30,900,000, which shall be available through June 30, 2021: *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.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “CDC-Wide Activities and Program Support”, \$200,000,000, to remain available until expended, for response, recovery, preparation, mitigation, and other expenses directly related to the consequences of Hurricanes Harvey, Irma, or Maria: *Provided*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated by this paragraph: *Provided further*, That of the amount provided, not less than \$6,000,000 shall be transferred to the “Buildings and Facilities” account for the purposes provided herein: *Provided further*, 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.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES

EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the “Public Health and Social Services Emergency

Fund”, \$177,000,000, to remain available until expended, for response, recovery, preparation, mitigation and other expenses directly related to the consequences of Hurricanes Harvey, Irma, or Maria, including activities authorized under section 319(a) of the Public Health Service Act (referred to in this title as the “PHS Act”): *Provided*, That \$60,000,000 shall be transferred to “Health Resources and Services Administration—Primary Health Care”, for expenses related to the consequences of Hurricanes Harvey, Irma, or Maria for disaster response and recovery, for the Health Centers Program under section 330 of the PHS Act: *Provided further*, That not less than \$50,000,000, of amounts transferred under the preceding proviso, shall be available for alteration, renovation, construction, equipment, and other capital improvement costs as necessary to meet the needs of areas affected by Hurricanes Harvey, Irma, or Maria: *Provided further*, That the time limitation in section 330(e)(3) of the PHS Act shall not apply to funds made available under the preceding proviso: *Provided further*, That not less than \$20,000,000 shall be transferred to “Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support” for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, and other related helplines, and for other similar programs to provide support to individuals impacted by Hurricanes Harvey, Irma, or Maria: *Provided further*, That up to \$2,000,000 shall be transferred to “Office of the Secretary—Office of Inspector General” for oversight of activities responding to such hurricanes: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: *Provided further*, That of the funds appropriated in this paragraph, \$15,000,000 shall be transferred to the “National Institutes of Health—Office of the Director” for the purposes provided in this paragraph: *Provided further*, That funds transferred to the National Institutes of Health for the purpose of supporting the repair or rebuilding of non-Federal biomedical or behavioral research facilities damaged as a result of Hurricanes Harvey, Irma, or Maria shall be used to award grants or contracts for such purpose under section 404I of the Public Health Service Act: *Provided further*, That section 404I(c)(2) of such Act does not apply to the use of funds described in the preceding proviso: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That such additional 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.

ADMINISTRATION FOR CHILDREN AND FAMILIES
CHILDREN AND FAMILIES SERVICES PROGRAMS

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

of the Head Start Act: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That up to \$10,000,000 shall be available for Federal administrative expenses: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: *Provided further*, That such additional 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.

DEPARTMENT OF EDUCATION
HURRICANE EDUCATION RECOVERY
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Hurricane Education Recovery” for assisting in meeting the educational needs of individuals affected by Hurricanes Harvey, Irma, or Maria, or calendar year 2017 wildfires for which the President declared a major disaster or emergency under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C. 5191) (referred to herein as a “covered disaster or emergency”), \$2,900,000,000, to remain available through September 30, 2021: *Provided*, That such additional 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: *Provided further*, That—

(1) such funds shall be used—

(A) to make awards, which shall be available until expended, to eligible entities for immediate aid to restart school operations, in accordance with paragraph (2);

(B) for temporary emergency impact aid for displaced students, in accordance with paragraph (2);

(C) for emergency assistance to institutions of higher education and students attending institutions of higher education in an area directly affected by a covered disaster or emergency in accordance with paragraph (3);

(D) for payments to institutions of higher education to help defray the unexpected expenses associated with enrolling displaced students from institutions of higher education directly affected by a covered disaster or emergency, in accordance with paragraph (4); and

(E) to provide assistance to local educational agencies serving homeless children and youth in accordance with paragraph (5);

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

(A) each reference to a major disaster declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) shall be to a major disaster or emergency declared by the President in accordance with section 401 or 501, respectively, of such Act;

(B) each reference to Hurricane Katrina or Hurricane Rita shall be a reference to a covered disaster or emergency;

(C) each reference to August 22, 2005, when used in relation to a covered disaster or emergency, shall be to the date that is one week prior to the date on which the major

disaster or emergency was declared for the area;

(D) each reference to the States of Louisiana, Mississippi, Alabama, and Texas shall be to the States or territories affected by a covered disaster or emergency, and each reference to the State educational agencies of Louisiana, Mississippi, Alabama, or Texas shall be a reference to the State educational agencies that serve the states or territories affected by a covered disaster or emergency;

(E) each reference to the 2005-2006 school year shall be to the 2017-2018 school year;

(F) the references in section 102(h)(1) of title IV of division B of Public Law 109-148 to the number of non-public elementary schools and secondary schools in the State shall be to the number of students in non-public elementary schools and secondary schools in the State, and the reference in such section to the 2003-2004 school year shall be to the most recent data set for the 2016-2017 school year;

(G) in determining the amount of immediate aid provided to restart school operations as described in section 102(b) of title IV of division B of Public Law 109-148, the Secretary shall consider the number of students enrolled, during the 2016-2017 school year, in elementary schools and secondary schools that were closed as a result of a covered disaster or emergency;

(H) in determining the amount of emergency impact aid that a State educational agency is eligible to receive under paragraph (1)(B), the Secretary shall, subject to section 107(d)(1)(B) of such title, provide—

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

(ii) \$10,000 for each displaced student who is a child with disability (regardless of whether the child is an English learner); and

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

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

(3) up to \$200,000,000 of the funds made available under this heading shall be for programs authorized under subpart 3 of part A and part C of title IV and part B of title VII of the Higher Education Act of 1965 (20 U.S.C. 1087-51 et seq., 1138 et seq.) for institutions located in an area affected by a covered disaster or emergency, and students enrolled in such institutions, except that—

(A) any requirements relating to matching, Federal share, reservation of funds, or maintenance of effort under such parts that would otherwise be applicable to that assistance shall not apply;

(B) such assistance may be used for student financial assistance;

(C) such assistance may also be used for faculty and staff salaries, equipment, student supplies and instruments, or any purpose authorized under the Higher Education Act of 1965, by institutions of higher education that are located in areas affected by a covered disaster or emergency; and

(D) the Secretary shall prioritize, to the extent possible, students who are homeless or at risk of becoming homeless as a result of displacement, and institutions that have sustained extensive damage, by a covered disaster or emergency;

(4) up to \$120,000,000 of the funds made available under this heading shall be for payments to institutions of higher education to help defray the unexpected expenses associated with enrolling displaced students from institutions of higher education at which operations have been disrupted by a covered

disaster or emergency, in accordance with criteria established by the Secretary and made publicly available;

(5) \$25,000,000 of the funds made available under this heading shall be available to provide assistance to local educational agencies serving homeless children and youths displaced by a covered disaster or emergency, consistent with section 723 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435) and with section 106 of title IV of division B of Public Law 109–148, except that funds shall be disbursed based on demonstrated need and the number of homeless children and youth enrolled as a result of displacement by a covered disaster or emergency;

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

(7) \$4,000,000 of the funds made available under this heading, to remain available through September 30, 2021, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to \$3,000,000 of the funds made available under this heading, to remain available through September 30, 2019, shall be for program administration;

(8) up to \$35,000,000 of the funds made available under this heading shall be to carry out activities authorized under section 4631(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7281(b)); and

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

GENERAL PROVISIONS—THIS TITLE (INCLUDING TRANSFERS OF FUNDS)

SEC. 801. (a) Notwithstanding section 133(b)(4) of the Workforce Innovation and Opportunity Act, in States, as defined by section 3(56) of such Act, affected by Hurricanes Harvey, Irma, and Maria, a local board, as defined by section 3(33) of such Act, in a local area, as defined by section 3(32) of such Act, affected by such Hurricanes may transfer, if such transfer is approved by the Governor, up to 100 percent of the funds allocated to the local area for Program Years 2016 and 2017 for Youth Workforce Investment activities under paragraphs (2) or (3) of section 128(b) of such Act, for Adult employment and training activities under paragraphs (2)(A) or (3) of section 133(b) of such Act, or for Dislocated Worker employment and training activities under paragraph (2)(B) of section 133(b) of such Act among—

(1) adult employment and training activities;

(2) dislocated worker employment and training activities; and

(3) youth workforce investment activities.

(b) Except for the funds reserved to carry out required statewide activities under sections 127(b) and 134(a)(2) of the Workforce Innovation and Opportunity Act, the Governor

of the United States Virgin Islands may authorize the transfer of up to 100 percent of the remaining funds provided to the United States Virgin Islands for Program Years 2016 and 2017 for Youth Workforce Investment activities under section 127(b)(1)(B) of such Act, for Adult employment and training activities under section 132(b)(1)(A) of such Act, or for Dislocated Worker employment and training activities under section 133(b)(2)(A) of such Act among—

(1) adult employment and training activities;

(2) dislocated worker employment and training activities; and

(3) youth workforce investment activities.

SEC. 802. Funds appropriated by this title may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention” and “Public Health and Social Services Emergency Fund” for the purposes specified in this title following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations in the House of Representatives and the Senate shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this title may be transferred pursuant to the authority in section 205 of division H of Public Law 115–31 or section 241(a) of the PHS Act.

SEC. 803. (a) As the Secretary of Health and Human Services determines necessary to respond to a critical hiring need for emergency response positions, after providing public notice and without regard to the provisions of sections 3309 through 3319 of title 5, United States Code, the Secretary may appoint candidates directly to the following positions to perform critical work directly relating to the consequences of Hurricanes Harvey, Irma, or Maria:

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

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

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

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

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

TITLE IX

GOVERNMENT ACCOUNTABILITY OFFICE SALARIES AND EXPENSES

For an additional amount for the Government Accountability Office for “Salaries and Expenses”, \$14,000,000, to remain available until expended, for audits and investigations relating to Hurricanes Harvey, Irma, and Maria and the calendar year 2017 wildfires: *Provided*, That not later than 180 days after the date of enactment of this Act, GAO shall submit to Congress a report describing the

United States Virgin Island’s economic and disaster recovery plan that defines the priorities, goals, and expected outcomes of the recovery effort based on damage assessments prepared pursuant to Federal law: *Provided further*, That GAO shall report on the internal control plans that are in place to provide oversight of Federal disaster funds to be used in recovery activities in the United States Virgin Islands, identify any deficiencies in such plans, and provide recommendations to address noted deficiencies: *Provided further*, 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.

TITLE X

DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$201,636,000, to remain available until September 30, 2022, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: *Provided*, That none of the funds made available to the Navy and Marine Corps for recovery efforts related to Hurricanes Harvey, Irma, and Maria in this division shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, 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.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for “Military Construction, Army National Guard”, \$519,345,000, to remain available until September 30, 2022, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: *Provided*, That none of the funds made available to the Army National Guard for recovery efforts related to Hurricanes Harvey, Irma, and Maria in this division shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, 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.

DEPARTMENT OF VETERANS AFFAIRS VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For an additional amount for “Medical Services”, \$11,075,000, to remain available

until September 30, 2019, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and 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.

MEDICAL SUPPORT AND COMPLIANCE

For an additional amount for “Medical Support and Compliance”, \$3,209,000, to remain available until September 30, 2019, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and 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.

MEDICAL FACILITIES

For an additional amount for “Medical Facilities”, \$75,108,000, to remain available until September 30, 2022, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: *Provided*, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, 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.

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MINOR PROJECTS

For an additional amount for “Construction, Minor Projects”, \$4,088,000, to remain available until September 30, 2022, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and 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.

GENERAL PROVISION—THIS TITLE

SEC. 1001. Notwithstanding section 18236(b) of title 10, United States Code, the Secretary of Defense shall contribute to Puerto Rico 100 percent of the total cost of construction (including the cost of architectural, engineering and design services) for the acquisition, construction, expansion, rehabilitation, or conversion of the Arroyo readiness center under paragraph (5) of section 18233(a) of title 10, United States Code.

TITLE XI

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for “Operations”, \$35,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of hurricanes occurring in calendar year 2017: *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.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for “Facilities and Equipment”, \$79,589,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of hurricanes occurring in calendar year 2017:

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.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, \$1,374,000,000, to remain available until expended: *Provided*, That notwithstanding section 125(d)(4) of title 23, United States Code, no limitation on the total obligations for projects under section 125 of such title shall apply to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for fiscal year 2018 and fiscal year 2019: *Provided further*, That notwithstanding section 120(i)(1) of title 23, United States Code, for fiscal year 2018 and each fiscal year thereafter, Puerto Rico may use toll credits toward the non-Federal share requirement for emergency relief funds made available under section 125 of such title to respond to damage caused by Hurricanes Irma and Maria: *Provided further*, That such amounts are 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.

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

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

MARITIME ADMINISTRATION

OPERATIONS AND TRAINING

For an additional amount for “Operations and Training”, \$10,000,000, to remain available until expended, for necessary expenses, including for dredging, related to damage to Maritime Administration facilities resulting from Hurricane Harvey: *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.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$26,060,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas re-

sulting from a major disaster declared in 2017 (except as otherwise provided under this heading) pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: *Provided further*, That of the amounts made available under this heading, up to \$13,560,000,000 shall be allocated to meet unmet needs for grantees that have received or will receive allocations for major disasters declared in 2017, and that such allocations shall include the States and units of local government affected by Hurricane Maria: *Provided further*, That of the amounts made available under this heading, no less than \$12,500,000,000 shall be allocated for mitigation activities to all grantees of funding provided under this heading, the same heading in chapter 9 of title X of division A of Public Law 113-2, section 420 of division L of Public Law 114-113, section 145 of division C of Public Law 114-223, section 192 of division C of Public Law 114-223 (as added by section 101(3) of division A of Public Law 114-254), section 421 of division K of Public Law 115-31, and the same heading in division B of Public Law 115-56, and that such mitigation activities shall be subject to the same terms and conditions of this heading, as determined by the Secretary: *Provided further*, That all such grantees shall receive an allocation of funds under the preceding proviso in the same proportion that the amount of funds each grantee received or will receive under the second proviso of this heading or the headings and sections specified in the previous proviso bears to the amount of all funds provided to all grantees specified in the previous proviso: *Provided further*, That of the amounts made available under the second and third provisos of this heading, the Secretary shall allocate to all such grantees an aggregate amount of not less than 33 percent of each such amount of funds provided under this heading within 60 days after the date of enactment of this Act based on the best available data: *Provided further*, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in division B of Public Law 115-56 for non-federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): *Provided further*, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses to recover from economic losses: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a

plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State, unit of general local government, or Indian tribe may use up to 5 percent of its allocation for administrative costs: *Provided further*, That the sixth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements, 2017 (division B of Public Law 115-56) is amended by striking “State or subdivision thereof” and inserting “State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That the eighth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements, 2017 (division B of Public Law 115-56) is amended by inserting “408(c)(4),” after “407,”: *Provided further*, That of the amounts made available under this heading, up to \$10,000,000 shall be made available for capacity building and technical

assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations pursuant to this heading, received disaster recovery allocations under the same heading in Public Law 115-56, or may receive similar allocations for disaster recovery in future appropriations Acts: *Provided further*, That of the amounts made available under this heading, up to \$10,000,000 shall be transferred, in aggregate, to “Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115-56 and the aggregate of such amounts shall be available for any of the purposes specified under this heading or the same heading in Public Law 115-56 without limitation: *Provided further*, That of the funds made available under this heading, \$10,000,000 shall be transferred to the Office of the Inspector General for necessary costs of overseeing and auditing funds made available under this heading: *Provided further*, That any funds made available under this heading that remain available, after the other funds under such heading have been allocated for necessary expenses for activities authorized under such heading, shall be used for additional activities, including mitigation, in the most impacted and distressed areas resulting from major disasters declared in 2011 and subsequent years: *Provided further*, That such remaining funds shall be awarded to grantees of funding provided for disaster relief under this heading, the same heading in chapter 9 of title X of division A of Public Law 113-2, section 420 of division L of Public Law 114-113, section 145 of division C of Public Law 114-223, section 192 of division C of Public Law 114-223 (as added by section 101(3) of division A of Public Law 114-254), section 421 of division K of Public Law 115-31, and the same heading in division B of Public Law 115-56, subject to the same terms and conditions under this heading and such headings and sections respectively: *Provided further*, That each such grantee shall receive an allocation from such remaining funds in the same proportion that the amount of funds such grantee received under the second proviso under this heading and under the Acts specified in the previous proviso bears to the amount of all funds provided to all grantees specified in the previous proviso: *Provided further*, 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.

TITLE XII

GENERAL PROVISIONS—THIS DIVISION

SEC. 1201. Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

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

SEC. 1203. Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2018.

SEC. 1204. The terms and conditions applicable to the funds provided in this division,

including those provided by this title, shall also apply to the funds made available in division B of Public Law 115-56 and in division A of Public Law 115-72.

SEC. 1205. Each amount designated in this division 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 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1206. (a) Section 305 of division A of the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (Public Law 115-72) is amended—

(1) in subsection (a)—

(A) by striking “(1) Not later than December 31, 2017,” and inserting “Not later than March 31, 2018,”; and

(B) by striking paragraph (2); and

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

(b) Section 305 of division A of the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (Public Law 115-72), as amended by this section, shall apply to funds appropriated by this division as if they had been appropriated by that division.

(c) In order to proactively prepare for oversight of future disaster relief funding, not later than one year after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue standard guidance for Federal agencies to use in designing internal control plans for disaster relief funding. This guidance shall leverage existing internal control review processes and shall include, at a minimum, the following elements:

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

(2) Guidance for documenting the linkage between the incremental risks related to disaster funding and efforts to address known internal control risks.

SEC. 1207. Any agency or department provided funding in excess of \$3,000,000,000 by this division, including the Federal Emergency Management Agency, the Department of Housing and Urban Development, and the Corps of Engineers, is directed to provide a report to the Committee on Appropriations of the House of Representatives regarding its efforts to provide adequate resources and technical assistance for small, low-income communities affected by natural disasters.

SEC. 1208. (a) Not later than 180 days after the date of enactment of this Act and in coordination with the Administrator of the Federal Emergency Management Agency, with support and contributions from the Secretary of the Treasury, the Secretary of Energy, and other Federal agencies having responsibilities defined under the National Disaster Recovery Framework, the Governor of the Commonwealth of Puerto Rico shall submit to Congress a report describing the Commonwealth’s 12- and 24-month economic and disaster recovery plan that—

(1) defines the priorities, goals, and expected outcomes of the recovery effort for the Commonwealth, based on damage assessments prepared pursuant to Federal law, if applicable, including—

(A) housing;

(B) economic issues, including workforce development and industry expansion and cultivation;

(C) health and social services;

(D) natural and cultural resources;

(E) governance and civic institutions;

(F) electric power systems and grid restoration;

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

(H) other infrastructure systems, including repair, restoration, replacement, and improvement of public infrastructure such as water and wastewater treatment facilities, communications networks, and transportation infrastructure;

(2) is consistent with—

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

(B) alternative procedures and associated programmatic guidance adopted by the Administrator of the Federal Emergency Management Administration pursuant to section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189f); and

(C) actions as may be necessary to mitigate vulnerabilities to future extreme weather events and natural disasters and increase community resilience, including encouraging the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters;

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

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

(5) is developed in coordination with the Oversight Board established under PROMESA; and

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

(b) At the end of every 30-day period before the submission of the report described in subsection (a), the Governor of the Commonwealth of Puerto Rico, in coordination with the Administrator of the Federal Emergency Management Agency, shall provide to Congress interim status updates on progress developing such report.

(c) At the end of every 180-day period after the submission of the report described in subsection (a), the Governor of the Commonwealth of Puerto Rico, in coordination with the Administrator of the Federal Emergency Management Agency, shall make public a report on progress achieving the goals set forth in such report.

(d) During the development, and after the submission, of the report require by in subsection (a), the Oversight Board may provide to Congress reports on the status of coordination with the Governor of Puerto Rico.

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

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

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

This division may be cited as the "Further Additional Supplemental Appropriations for Disaster Relief Requirements, 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 non-profit 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.

SEC. 2001. APPLICABILITY.

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

SEC. 2002. STATE DEFINED.

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

SEC. 2003. WILDFIRE PREVENTION.

(a) MITIGATION ASSISTANCE.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) HAZARD MITIGATION ASSISTANCE.—Whether or not a major disaster is declared, the President may provide hazard mitigation

assistance in accordance with section 404 in any area affected by a fire for which assistance was provided under this section.”

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

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

(A) by inserting before the first period “, or any area affected by a fire for which assistance was provided under section 420”; and

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

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

(c) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Appropriations Committees of the Senate and the House of Representatives a report containing a summary of any projects carried out, and any funding provided to those projects, under subsection (d) of section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) (as amended by this section).

SEC. 2004. ADDITIONAL ACTIVITIES.

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

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

“(1) reseeding ground cover with quick-growing or native species;

“(2) mulching with straw or chipped wood;

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

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

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

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

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

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

“(9) installing warning signs;

“(10) establishing defensible space measures;

“(11) reducing hazardous fuels; and

“(12) windstorm damage, including replacing or installing electrical transmission or distribution utility pole structures with poles that are resilient to extreme wind and combined ice and wind loadings for the basic wind speeds and ice conditions associated with the relevant location.”

SEC. 2005. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.

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

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following:

“(D) base and overtime wages for extra hires to facilitate the implementation and enforcement of adopted building codes for a

period of not more than 180 days after the major disaster is declared.”

SEC. 2006. PROGRAM IMPROVEMENTS.

(a) HAZARD MITIGATION.—Section 406(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(c)) is amended—

(1) in paragraph (1)(A), by striking “90 percent of”; and

(2) in paragraph (2)(A), by striking “75 percent of”.

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

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

(2) by adding at the end the following:

“(2) NO CONDITIONS.—The President may not condition the provision of Federal assistance under this Act on the election by a State, Tribal, or local government, or owner or operator of a private nonprofit facility to participate in the alternative procedures adopted under this section.”

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

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

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

(3) by adding at the end the following:

“(G) once certified by a professionally licensed engineer and accepted by the Administrator, the estimates on which grants made pursuant to this section are based shall be presumed to be reasonable and eligible costs, as long as there is no evidence of fraud.”

SEC. 2007. PRIORITIZATION OF FACILITIES.

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

(1) the need to prioritize assistance to hospitals, nursing homes, and other long-term care facilities to ensure that such health care facilities remain functioning or return to functioning as soon as practicable during power outages caused by natural hazards, including severe weather events; and

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

SEC. 2008. GUIDANCE ON EVACUATION ROUTES.

(a) IN GENERAL.—

(1) IDENTIFICATION.—The Administrator of the Federal Emergency Management Agency, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Tribal governments regarding the identification of evacuation routes.

(2) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator of the Federal Emergency Management Agency, shall revise existing guidance or issue new guidance as appropriate for State, local, and Tribal governments regarding the design, construction, maintenance, and repair of evacuation routes.

(b) CONSIDERATIONS.—

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

(A) whether evacuation routes have resisted impacts and recovered quickly from disasters, regardless of cause;

(B) the need to evacuate special needs populations, including—

(i) individuals with a physical or mental disability;

(ii) individuals in schools, daycare centers, mobile home parks, prisons, nursing homes

and other long-term care facilities, and detention centers;

(iii) individuals with limited-English proficiency;

(iv) the elderly; and

(v) individuals who are tourists, seasonal workers, or homeless;

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

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

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

(F) such other items the Administrator considers appropriate.

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

(A) methods that assist evacuation routes to—

(i) withstand likely risks to viability, including flammability and hydrostatic forces;

(ii) improve durability, strength (including the ability to withstand tensile stresses and compressive stresses), and sustainability; and

(iii) provide for long-term cost savings;

(B) the ability of evacuation routes to effectively manage contraflow operations;

(C) for evacuation routes on public lands, the viewpoints of the applicable Federal land management agency regarding emergency operations, sustainability, and resource protection; and

(D) such other items the Administrator considers appropriate.

SEC. 2009. DUPLICATION OF BENEFITS.

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

“(4) WAIVER OF GENERAL PROHIBITION.—

“(A) IN GENERAL.—The President may waive the general prohibition provided in subsection (a) upon request of a Governor on behalf of the State or on behalf of a person, business concern, or any other entity suffering losses as a result of a major disaster or emergency, if the President finds such waiver is in the public interest and will not result in waste, fraud, or abuse. In making this decision, the President may consider the following:

“(i) The recommendations of the Administrator of the Federal Emergency Management Agency made in consultation with the Federal agency or agencies administering the duplicative program.

“(ii) If a waiver is granted, the assistance to be funded is cost effective.

“(iii) Equity and good conscience.

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

“(B) GRANT OR DENIAL OF WAIVER.—A request under subparagraph (A) shall be granted or denied not later than 45 days after submission of such request.

“(C) PROHIBITION ON DETERMINATION THAT LOAN IS A DUPLICATION.—Notwithstanding subsection (c), in carrying out subparagraph (A), the President may not determine that a loan is a duplication of assistance, provided that all Federal assistance is used toward a loss suffered as a result of the major disaster or emergency.”

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

(1) ELIGIBLE ACTIVITIES.—Notwithstanding section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) and its implementing regulations, assistance provided pursuant to section 404 of such Act may be used to fund ac-

tivities authorized for construction within the scope of a federally authorized water resources development project of the Army Corps of Engineers if such activities are also eligible activities under such section.

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

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

(4) TOTAL FEDERAL SHARE.—Funding provided under section 404 pursuant to this section may not exceed the total Federal share for such project.

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

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

(B) affect the eligibility criteria for a hazard mitigation measure under section 404;

(C) affect the cost share requirements of a federally authorized water resources development project; and

(D) affect the responsibilities of a non-Federal interest with respect to the project, including those related to the provision of lands, easements, rights-of-way, dredge material disposal areas, and necessary relocations.

(c) APPLICABILITY.—This section shall apply to each disaster and emergency declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) after January 1, 2016.

SEC. 2010. STATE ADMINISTRATION OF ASSISTANCE FOR DIRECT TEMPORARY HOUSING AND PERMANENT HOUSING CONSTRUCTION.

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

(1) in paragraph (1), by striking the paragraph heading and inserting “STATE- OR TRIBAL-ADMINISTERED ASSISTANCE AND OTHER NEEDS ASSISTANCE.—”;

(2) in paragraph (1)(A)—

(A) by striking “financial”; and

(B) by striking “subsection (e)” and inserting “subsections (c)(1)(B), (c)(4), and (e) if the President and the State or Tribal government comply, as determined by the Administrator, with paragraph (3)”;

(3) in paragraph (1)(B)—

(A) by striking “financial”; and

(B) by striking “subsection (e)” and inserting “subsections (c)(1)(B), (c)(4), and (e)”;

and

(4) by adding at the end the following:

“(3) IN GENERAL.—

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

“(B) CRITERIA.—The President, in consultation and coordination with State, Tribal, and local governments, shall establish criteria for the approval of applications submitted under subparagraph (A). The criteria shall include, at a minimum—

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

“(ii) there being in effect a plan approved by the President as to how the State or Tribal government will comply with applicable Federal laws and regulations and how the State or Tribal government will provide assistance under its plan;

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

“(iv) a requirement that the President, or the designee of the President, comply with subsection (i).

“(C) QUALITY ASSURANCE.—Before approving an application submitted under this section, the President, or the designee of the President, shall institute adequate policies, procedures, and internal controls to prevent waste, fraud, abuse, and program mismanagement for this program and for programs under subsections (c)(1)(B), (c)(4), and (e). The President shall monitor and conduct quality assurance activities on a State or Tribal government’s implementation of programs under subsections (c)(1)(B), (c)(4), and (e). If, after approving an application of a State or Tribal government submitted under this section, the President determines that the State or Tribal government is not administering the program established by this section in a manner satisfactory to the President, the President shall withdraw the approval.

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

“(E) APPLICABLE LAWS.—All Federal laws applicable to the management, administration, or contracting of the programs by the Federal Emergency Management Agency under this section shall be applicable to the management, administration, or contracting by a non-Federal entity under this section.

“(F) REPORT.—Not later than 18 months after the date of enactment of this paragraph, the inspector general of the Department of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the State or Tribal government’s role to provide assistance under this section. The report shall contain an assessment of the effectiveness of the State or Tribal government’s role to provide assistance under this section, including—

“(i) whether the State or Tribal government’s role helped to improve the general speed of disaster recovery;

“(ii) whether the State or Tribal government providing assistance under this section had the capacity to administer this section; and

“(iii) recommendations for changes to improve the program if the State or Tribal government’s role to administer the programs should be continued.

“(G) PROHIBITION.—The President may not condition the provision of Federal assistance under this Act by a State or Tribal government requesting a grant under this section.

“(H) MISCELLANEOUS.—

“(i) NOTICE AND COMMENT.—The Administrator may waive notice and comment rule-making, if the Administrator determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program until such regulations are promulgated.

“(ii) FINAL RULE.—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall issue final regulations to implement this subsection as amended by the Disaster Recovery Reform Act.

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

SEC. 2011. ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

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

(1) in paragraph (1), by inserting “, excluding financial assistance to rent alternate housing accommodations under subsection (c)(1)(A)(i) and financial assistance to address other needs under subsection (e)” after “disaster”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

“(2) OTHER NEEDS ASSISTANCE.—The maximum financial assistance any individual or household may receive under subsection (e) shall be equivalent to the amount set forth in paragraph (1) with respect to a single major disaster.”;

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

(5) by inserting after paragraph (3) (as so redesignated) the following:

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

“(A) The maximum amount of assistance established under paragraph (1) shall exclude expenses to repair or replace damaged accessibility-related improvements under paragraphs (2), (3), and (4) of subsection (c) for individuals with disabilities.

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

SEC. 2012. MULTIFAMILY LEASE AND REPAIR ASSISTANCE.

(a) LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.—Section 408(c)(1)(B)(ii)(II) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(II)) is amended to read as follows:

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

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

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

(c) INSPECTOR GENERAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the inspector general of the Department of Homeland Security shall assess the use of the authority provided under section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)), including the adequacy of any benefit-cost analysis done to justify the use of this alternative, and submit a report on the results of that review to the appropriate committees of Congress.

SEC. 2013. FEDERAL DISASTER ASSISTANCE NON-PROFIT FAIRNESS.

(a) DEFINITION OF PRIVATE NONPROFIT FACILITY.—Section 102(11)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(11)(B)) is amended to read as follows:

“(B) ADDITIONAL FACILITIES.—In addition to the facilities described in subparagraph (A), the term ‘private nonprofit facility’ includes any private nonprofit facility that provides essential services of a governmental

nature to the general public (including museums, zoos, performing arts facilities, community arts centers, community centers, houses of worship exempt from taxation under section 501(c) of the Internal Revenue Code of 1986, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, food banks, broadcasting facilities, and facilities that provide health and safety services of a governmental nature), as defined by the President.”.

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

“(C) HOUSES OF WORSHIP.—

“(i) IN GENERAL.—A church, synagogue, mosque, temple, or other house of worship, and a private nonprofit facility operated by a religious organization, shall be eligible for contributions under paragraph (1)(B) (subject to paragraph (3)(A)), without regard to the religious character of the facility or the primary religious use of the facility.

“(ii) LIMITATIONS.—Notwithstanding clause (i), in spaces dedicated to or primarily used for religious purposes, contributions under paragraph (1)(B) shall only be used to cover costs of purchasing or replacing, without limitation, the building structure, building enclosure components, building envelope, vertical and horizontal circulation, physical plant support spaces, electrical, plumbing, and mechanical systems (including heating, ventilation, air-conditioning, and fire and life safety systems), and related site improvements.”.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply to the provision of assistance in response to a major disaster or emergency declared on or after October 28, 2012.

SEC. 2014. MANAGEMENT COSTS.

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

(1) in subsection (a) by striking “any administrative expense, and any other expense not directly chargeable to” and inserting “direct administrative cost, and any other administrative expense associated with”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) IN GENERAL.—Notwithstanding”;

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

(C) by adding at the end the following:

“(2) SPECIFIC MANAGEMENT COSTS.—The Administrator shall provide the following percentage rates, in addition to the eligible project costs, to cover direct and indirect costs of administering the following programs:

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

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

SEC. 2015. FLEXIBILITY.

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

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

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

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

(1) subject to paragraph (2), may waive a debt owed to the United States related to covered assistance provided to an individual or household if—

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

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

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

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

(c) **MONITORING OF COVERED ASSISTANCE DISTRIBUTED BASED ON ERROR.**—

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

(2) **REMOVAL OF WAIVER AUTHORITY BASED ON EXCESSIVE ERROR RATE.**—If the inspector general determines, with respect to any 12-month period, that the amount of covered assistance distributed based on an error by the Federal Emergency Management Agency exceeds 4 percent of the total amount of covered assistance distributed—

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

(B) with respect to any major disaster or emergency declared by the President under section 401 or section 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C. 5191) after the date on which the determination is published under subparagraph (A), the authority of the Administrator to waive debt under subsection (b) shall no longer be effective.

SEC. 2016. ADDITIONAL DISASTER ASSISTANCE.

(a) **DISASTER MITIGATION.**—Section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) is amended by adding at the end the following:

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

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

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

(d) **TECHNICAL AMENDMENT.**—Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended by striking the second subparagraph (J).

SEC. 2017. NATIONAL VETERINARY EMERGENCY TEAMS.

(a) **IN GENERAL.**—The Administrator of the Federal Emergency Management Agency

may establish one or more national veterinary emergency teams at accredited colleges of veterinary medicine.

(b) **RESPONSIBILITIES.**—A national veterinary emergency team shall—

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

(A) veterinary care of canine search teams;

(B) locating and treating companion animals, service animals, livestock, and other animals; and

(C) surveillance and treatment of zoonotic diseases;

(2) recruit, train, and certify veterinary professionals, including veterinary students, in accordance with an established set of plans and standard operating guidelines to carry out the duties associated with planning for and responding to emergencies as described in paragraph (1);

(3) assist State, Tribal, and local governments and nonprofit organizations in developing emergency management and evacuation plans that account for the care and rescue of animals and in improving local readiness for providing veterinary medical response during a disaster; and

(4) coordinate with the Department of Homeland Security, the Department of Health and Human Services, the Department of Agriculture, State, Tribal, and local governments (including departments of animal and human health), veterinary and health care professionals, and volunteers.

SEC. 2018. DISPUTE RESOLUTION PILOT PROGRAM.

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

SEC. 2019. EMERGENCY RELIEF.

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

SEC. 2020. UNIFIED FEDERAL ENVIRONMENTAL AND HISTORIC PRESERVATION REVIEW.

(a) **REVIEW AND ANALYSIS.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall review the Unified Federal Environmental and Historic Preservation review process established pursuant to section 429 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189g), and submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that includes the following:

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

(2) A survey and analysis of categorical exclusions used by other Federal agencies that may be applicable to any activity related to a Presidentially declared major disaster or emergency under such Act.

(3) Recommendations on any further actions, including any legislative proposals, needed to expedite and streamline the review process.

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

implement any regulatory recommendations, including any categorical exclusions identified under subsection (a), to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations, and section II of DHS Instruction Manual 023-01-001-01.

SEC. 2021. CLOSEOUT INCENTIVES.

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

“(d) **FACILITATING CLOSEOUT.**—

“(1) **INCENTIVES.**—The Administrator may develop incentives and penalties that encourage State, Tribal, or local governments to close out expenditures and activities on a timely basis related to disaster or emergency assistance.

“(2) **AGENCY REQUIREMENTS.**—The Agency shall, consistent with applicable regulations and required procedures, meet its responsibilities to improve closeout practices and reduce the time to close disaster program awards.”.

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

SEC. 2022. PERFORMANCE OF SERVICES.

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

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

SEC. 2023. STUDY TO STREAMLINE AND CONSOLIDATE INFORMATION COLLECTION.

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

(1) in coordination with the Small Business Administration, the Department of Housing and Urban Development, and other appropriate agencies, conduct a study and develop a plan, consistent with law, under which the collection of information from disaster assistance applicants and grantees will be modified, streamlined, expedited, efficient, flexible, consolidated, and simplified to be less burdensome, duplicative, and time consuming for applicants and grantees;

(2) in coordination with the Small Business Administration, the Department of Housing and Urban Development, and other appropriate agencies, develop a plan for the regular collection and reporting of information on Federal disaster assistance awarded, including the establishment and maintenance of a website for presenting the information to the public; and

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

SEC. 2024. AGENCY ACCOUNTABILITY.

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

“SEC. 430. AGENCY ACCOUNTABILITY.

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

“(1) identifying the Federal Emergency Management Agency Region;

“(2) the disaster or emergency declaration number;

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

“(4) if the applicant is a private nonprofit organization;

“(5) the damage category code;

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

“(7) the date of the award.

“(b) MISSION ASSIGNMENTS.—

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

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

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

“(C) the assigned agency;

“(D) the assistance requested;

“(E) a description of the disaster;

“(F) the total cost estimate;

“(G) the amount obligated;

“(H) the State or Tribal cost share, if applicable;

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

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

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

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

“(1) an estimate of the amounts for the fiscal year covered by the President’s most recent budget pursuant to section 1105(a) of title 31, United States Code, including—

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

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

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

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

“(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current fiscal year, the budget year, and each fiscal year thereafter;

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

“(G) the amount that will be required for obligations for emergencies, as described in section 102(1), major disasters, as described in section 102(2), fire management assistance grants, as described in section 420, surge activities, and disaster readiness and support activities; and

“(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii)); and

“(2) an estimate or actual amounts, if available, of the following for the current

fiscal year shall be submitted not later than the fifth day of each month, published by the Administrator on the Agency’s website not later than the fifth day of each month:

“(A) A summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made.

“(B) A table of disaster relief activity delineated by month, including—

“(i) the beginning and ending balances;

“(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

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

“(iv) the amount of previously obligated funds that are recovered.

“(C) A summary of allocations, obligations, and expenditures for catastrophic events delineated by event.

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

“(i) Public assistance.

“(ii) Individual assistance.

“(iii) Mitigation.

“(iv) Administrative.

“(v) Operations.

“(vi) Any other relevant category (including emergency measures and disaster resources) delineated by disaster.

“(E) The date on which funds appropriated will be exhausted.

“(d) CONTRACTS.—

“(1) INFORMATION.—Not later than 10 days after the first day of each month, the Administrator shall publish on the Agency’s website the specifics of each contract in excess of \$1,000,000 that the Agency enters into, including—

“(A) the name of the party;

“(B) the date the contract was awarded;

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

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

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

“(F) the authority used to bypass the competitive bidding process.

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

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

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

“(B) The reasons why a competitive bidding process was not used.

“(C) The total amount of contracts awarded with no competitive bidding.

“(D) The damage category codes, if applicable, for contracts awarded without competitive bidding.”

SEC. 2025. AUDIT OF CONTRACTS.

Notwithstanding any other provision of law, the Administrator of the Federal Emergency Management Agency shall not reimburse a State, Tribe, or local government or the owner or operator of a private nonprofit facility for any activities made pursuant to a contract entered into after August 1, 2017, that prohibits the Administrator or the Comptroller General of the United States from auditing or otherwise reviewing all aspects relating to the contract.

SEC. 2026. INSPECTOR GENERAL AUDIT OF FEMA CONTRACTS FOR TARPS AND PLASTIC SHEETING.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the

inspector general of the Department of Homeland Security shall initiate an audit of the contracts awarded by the Federal Emergency Management Agency (in this section referred to as “FEMA”) for tarps and plastic sheeting for the Commonwealth of Puerto Rico and the United States Virgin Islands in response to Hurricane Irma and Hurricane Maria.

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

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

(2) FEMA’s assessment of the past performance of the contractors, including any historical information showing that the contractors had supported large-scale delivery quantities in the past;

(3) FEMA’s assessment of the capacity of the contractors to carry out the relevant contracts, including with respect to inventory, production, and financial capabilities;

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

(5) whether the failure of the contractors to meet the terms of the relevant contracts and FEMA’s subsequent cancellation of the relevant contracts affected the provision of tarps and plastic sheeting to the Commonwealth of Puerto Rico and the United States Virgin Islands.

(c) REPORT.—Not later than 270 days after the date of initiation of the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the audit, including findings and recommendations.

SEC. 2027. RELIEF ORGANIZATIONS.

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

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

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

SEC. 2028. GUIDANCE ON INUNDATED AND SUBMERGED ROADS.

The Administrator of the Federal Emergency Management Agency, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Tribal governments regarding repair, restoration, and replacement of inundated and submerged roads damaged or destroyed by a major disaster, and for associated expenses incurred by the Government, with respect to roads eligible for assistance under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 2029. AUTHORITIES.

Notwithstanding any other provision of law, the non-federally funded actions of private parties and State, local, or Tribal governments, on State, local, Tribal, and private land, and the effects of those actions, shall not be attributed to the Federal Emergency Management Agency’s actions under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (subtitle A of title II of division F of Public Law 112-141; 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113-89; 128 Stat. 1020) for the purposes of section 7 (16 U.S.C. 1536) and section 9 (16 U.S.C. 1538) of the Endangered Species Act. Actions taken under the

National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, the Biggert-Waters Flood Insurance Reform Act of 2012, and the Homeowner Flood Insurance Affordability Act of 2014, that may influence private actions do not create a Federal nexus for the purpose of applying the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

SEC. 2030. RECOUPMENT OF CERTAIN ASSISTANCE PROHIBITED.

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

(b) COVERED ASSISTANCE DEFINED.—In this section, the term “covered assistance” means assistance provided—

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

(2) in relation to a major disaster or emergency declared by the President under section 401 or 501 of such Act (42 U.S.C. 5170; section 404 or 501 of such Act (42 U.S.C. 5170; section 404 or 501 of such Act (42 U.S.C. 5191) on or after January 1, 2012.

SEC. 2031. STATUTE OF LIMITATIONS.

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

(1) in subsection (a)(1)—

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

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

(2) in subsection (b)—

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

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

(b) APPLICABILITY.—

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

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

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

(2) LIMITATION.—This section, including the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

SEC. 2032. TECHNICAL ASSISTANCE AND RECOMMENDATIONS.

(a) TECHNICAL ASSISTANCE.—The Administrator of the Federal Emergency Management Agency shall provide technical assistance to a common interest community that provides essential services of a governmental nature on actions that a common interest community may take in order to be eligible to receive reimbursement from a grantee that receives funds from the Agency for certain activities performed after an event that results in a disaster declaration.

(b) RECOMMENDATIONS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a legislative proposal on how to provide eligibility for disaster assistance with respect to common areas of condominiums and housing cooperatives.

SEC. 2033. GUIDANCE ON HAZARD MITIGATION ASSISTANCE.

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

(1) a process by which the State hazard mitigation officer appointed for such an acquisition shall, not later than 60 days after the applicant for assistance enters into an agreement with the Administrator regarding the acquisition, provide written notification to each affected unit of local government for such acquisition that includes—

(A) the location of the acquisition;

(B) the State-local assistance agreement for the hazard mitigation grant program;

(C) a description of the acquisition; and

(D) a copy of the deed restriction; and

(2) recommendations for entering into and implementing a memorandum of understanding between units of local government and covered entities that includes provisions to allow an affected unit of local government notified under paragraph (1) to—

(A) use and maintain the open space created by such a project, consistent with section 404 (including related regulations, standards, and guidance) and consistent with all adjoining property, subject to the notification of the adjoining property, so long as the cost of the maintenance is borne by the local government; and

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

(b) DEFINITIONS.—In this section the following definitions apply:

(1) AFFECTED UNIT OF LOCAL GOVERNMENT.—The term “affected unit of local government” means any entity covered by the definition of local government in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), that has jurisdiction over the property subject to the acquisition described in subsection (a).

(2) COVERED ENTITY.—The term “covered entity” means—

(A) the grantee or subgrantee receiving assistance for an open space project described in subsection (a);

(B) the State in which such project is located; and

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

SEC. 2034. LOCAL IMPACT.

In making recommendations to the President regarding a major disaster declaration, the Administrator of the Federal Emergency Management Agency shall give greater weight and consideration to severe local impact or recent multiple disasters. Further, the Administrator shall make corresponding adjustments to the Agency’s policies and regulations regarding such consideration. Not later than 1 year after the date of enactment of this section, the Administrator shall report to the Committee on Transportation

and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the changes made to regulations and policies and the number of declarations that have been declared based on the new criteria.

SEC. 2035. ADDITIONAL HAZARD MITIGATION ACTIVITIES.

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

“(g) USE OF ASSISTANCE.—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by earthquake hazards, including—

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

“(2) improvements to geodetic networks in support of building a capability for earthquake early warning; and

“(3) improvements to seismometers, Global Positioning System receivers, and associated infrastructure in support of building a capability for earthquake early warning.”.

SEC. 2036. NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER HAZARD MITIGATION.

(a) PREDISASTER HAZARD MITIGATION.—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (c) by inserting “Public Infrastructure” after “the National”;

(2) in subsection (e)(1)(B)—

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

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

(C) by adding at the end the following:

“(iv) to establish and carry out enforcement activities to implement the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings’ users against disasters.”;

(3) in subsection (f)—

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

(B) by adding at the end the following:

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

“(A) withdraw amounts of financial assistance made available to a State (including amounts made available to local governments of a State) under this subsection that remain unobligated by the end of the third fiscal year after the fiscal year for which the amounts were allocated; and

“(B) in the fiscal year following a fiscal year in which amounts were withdrawn under subparagraph (A), add the amounts to any other amounts available to be awarded on a competitive basis pursuant to paragraph (1).”;

(4) in subsection (g)—

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

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

(C) by adding after paragraph (9) the following:

“(10) the extent to which the State or local government has facilitated the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the

latest hazard-resistant designs and establish criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters;

“(1) the extent to which the assistance will fund activities that increase the level of resiliency; and”;

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

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

“(1) IN GENERAL.—The President may set aside from the Disaster Relief Fund, with respect to each major disaster, an amount equal to 6 percent of the estimated aggregate amount of the grants to be made pursuant to sections 403, 406, 407, 408, 410, and 416 for the major disaster in order to provide technical and financial assistance under this section.

“(2) ESTIMATED AGGREGATE AMOUNT.—Not later than 180 days after each major disaster declaration pursuant to this Act, the estimated aggregate amount of grants for purposes of paragraph (1) shall be determined by the President and such estimated amount need not be reduced, increased, or changed due to variations in estimates.

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

(6) by striking subsections (j) and (m) and redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively.

(b) APPLICABILITY.—The amendments made to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) by paragraphs (3) and (5) of subsection (a) shall apply to funds appropriated after the date of enactment of this Act.

SEC. 2037. ADDITIONAL MITIGATION ACTIVITIES.

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

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

(1) in the matter preceding clause (i), by inserting after “section,” the following: “for disasters declared on or after August 1, 2017, or a disaster in which a cost estimate has not yet been finalized for a project.”;

(2) in clause (i), by striking “and”;

(3) in clause (ii)—

(A) by striking “codes, specifications, and standards” and inserting “the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purposes of protecting the health, safety, and general welfare of a facility's users against disasters”;

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

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

(4) by adding at the end the following:

“(iii) in a manner that allows the facility to meet the definition of resilient developed pursuant to this subsection.”.

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

“(C) CONTRIBUTIONS.—Contributions for the eligible cost made under this section may be provided on an actual cost basis or on cost-estimation procedures.”.

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

“(5) NEW RULES.—

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

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

“(C) GUIDANCE.—Not later than 90 days after the date on which the Administrator issues the final rulemaking under this paragraph, the Administrator shall issue any necessary guidance related to the rulemaking.

“(D) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall submit to Congress a report summarizing the regulations and guidance issued pursuant to this paragraph.”.

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

SEC. 2038. FEDERAL COST-SHARE ADJUSTMENTS FOR REPAIR, RESTORATION, AND REPLACEMENT OF DAMAGED FACILITIES.

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

“(3) INCREASED FEDERAL SHARE.—

“(A) INCENTIVE MEASURES.—The President may provide incentives to a State or Tribal government to invest in measures that increase readiness for, and resilience from, a major disaster by recognizing such investments through a sliding scale that increases the minimum Federal share to 85 percent. Such measures may include—

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

“(ii) investments in disaster relief, insurance, and emergency management programs;

“(iii) encouraging the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters;

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

“(v) funding mitigation projects or granting tax incentives for projects that reduce risk.

“(B) COMPREHENSIVE GUIDANCE.—Not later than 1 year after the date of enactment of this paragraph, the President, acting

through the Administrator, shall issue comprehensive guidance to State and Tribal governments regarding the measures and investments, weighted appropriately based on actuarial assessments of eligible actions, that will be recognized for the purpose of increasing the Federal share under this section. Guidance shall ensure that the agency's review of eligible measures and investments does not unduly delay determining the appropriate Federal cost share.

“(C) REPORT.—One year after the issuance of the guidance required by subparagraph (B), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the analysis of the Federal cost shares paid under this section.

“(D) SAVINGS CLAUSE.—Nothing in this paragraph prevents the President from increasing the Federal cost share above 85 percent.”.

DIVISION C—OTHER MATTERS

SEC. 3001. TREATMENT OF SEED COTTON.

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

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

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

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

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

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

“(5) PAYMENT YIELD FOR SEED COTTON.—

“(A) PAYMENT YIELD.—Subject to subparagraph (B), the payment yield for seed cotton for a farm shall be equal to 2.4 times the payment yield for upland cotton for the farm established for purposes of subsection (e)(3) of section 1104 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1672), as in effect immediately before the repeal of such section by section 1102(a) of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 658).

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

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

“(4) SEED COTTON RULE.—

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

“(B) NO RECENT HISTORY OF COVERED COMMODITIES.—In the case of a farm where no covered commodities (including seed cotton) were planted or were prevented from being planted at any time during the 2009 through 2016 crop years, the owner of such farm shall allocate generic base acres on the farm to unassigned crop base for which no payments may be made under section 1116 or 1117.

“(C) RECENT HISTORY OF COVERED COMMODITIES.—In the case of a farm not described in subparagraph (B), the owner of such farm shall allocate generic base acres on the farm—

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

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

“(II) the average seed cotton acres planted or prevented from being planted on the farm during the 2009 through 2012 crop years (not to exceed the total generic base acres on the farm); or

“(ii) to covered commodities (including seed cotton), by applying subparagraphs (B), (D), (E), and (F) of section 1112(a)(3).

“(D) TREATMENT OF RESIDUAL GENERIC BASE ACRES.—In the case of a farm where generic base acres are allocated under subparagraph (C)(i), the residual generic base acres shall be allocated to unassigned crop base for which no payments may be made under section 1116 or 1117.

“(E) EFFECT OF FAILURE TO ALLOCATE.—If the owner of a farm fails to allocate generic base acres on the farm, the owner of the farm shall be deemed to have allocated all generic base acres in accordance with subparagraph (C)(i).”

(f) RECORDKEEPING REGARDING UNASSIGNED CROP BASE.—Section 1114 of the Agricultural Act of 2014 (7 U.S.C. 9014) is amended by adding at the end the following new subsection:

“(f) UNASSIGNED CROP BASE.—The Secretary shall maintain information on generic base acres on a farm allocated as unassigned crop base pursuant to subsection (b)(4).”

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

(1) in subsection (a), by striking “For” and inserting “Except as provided in subsection (g), for”; and

(2) by adding at the end the following new subsection:

“(g) SPECIAL ELECTION.—

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

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

(h) EFFECTIVE PRICE.—Section 1116 of the Agricultural Act of 2014 (7 U.S.C. 9016(b)) is amended by adding at the end the following new subsection:

“(h) EFFECTIVE PRICE FOR SEED COTTON.—

“(1) IN GENERAL.—The effective price for seed cotton under subsection (b) shall be equal to the marketing year average price for seed cotton, as calculated under paragraph (2).

“(2) CALCULATION.—The marketing year average price for seed cotton for a crop year shall be equal to the quotient of—

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

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

“(ii) the product obtained when the cottonseed marketing year average price is multiplied by total United States cottonseed production measured in pounds; and

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

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

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

(i) DEEMED LOAN RATE FOR SEED COTTON.—Section 1202 of the Agricultural Act of 2014 (7 U.S.C. 9032) is amended by adding at the end the following new subsection:

“(c) RULE FOR SEED COTTON.—

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

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize nonrecourse marketing assistance loans under this part for seed cotton.”

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

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

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

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

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

SEC. 3002. LIMITATION ON CROP INSURANCE LIVESTOCK-RELATED EXPENDITURES.

(a) IN GENERAL.—Paragraph (10) of section 523(b) of the Federal Crop Insurance Act (7 U.S.C. 1523) is repealed.

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

SEC. 3003. NATIONAL ACCURACY CLEARINGHOUSE.

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

“SEC. 30. NATIONAL ACCURACY CLEARINGHOUSE.

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

“(b) PURPOSE.—Any database or system of databases established pursuant to subsection (a) shall be used by States when making eligibility determinations to prevent supplemental nutrition assistance program participants from receiving duplicative benefits in multiple States.

“(c) IMPLEMENTATION.—

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

“(A) incorporate best practices and lessons learned from the regional pilot project ref-

erenced in section 4032(c) of the Agricultural Act of 2014 (7 U.S.C. 2036c(c));

“(B) safeguard the security of the data stored in the National Accuracy Clearinghouse and protect the privacy of supplemental nutrition assistance program participants and applicants; and

“(C) detail the process States will be required to follow for—

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

“(ii) identifying and acting on all apparent instances of duplicative participation by participants or applicants in multiple States; and

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

“(2) TIMING.—The initial match and corresponding actions required by paragraph (1)(C) shall occur within 3 years after the effective date of this section.”

SEC. 3004. PUERTO RICO LOW-INCOME COMMUNITIES TREATED AS QUALIFIED OPPORTUNITY ZONE.

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

“(3) SPECIAL RULE FOR PUERTO RICO.—Each population census tract in Puerto Rico that is a low-income community shall be deemed to be certified and designated as a qualified opportunity zone.”

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

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

DIVISION D—BUDGETARY EFFECTS

SEC. 4001. BUDGETARY EFFECTS.

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

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

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

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

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

DIVISION E—TAX RELIEF RELATING TO CERTAIN DISASTERS

TITLE I—CALIFORNIA FIRES

SEC. 5001. DEFINITIONS.

For purposes of this title—

(1) CALIFORNIA WILDFIRE DISASTER ZONE.—The term “California wildfire disaster zone” means that portion of the California wildfire

disaster area determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of wildfires in California.

(2) CALIFORNIA WILDFIRE DISASTER AREA.—The term “California wildfire disaster area” means an area with respect to which during 2017 a major disaster has been declared by the President under section 401 of such Act by reason of wildfires in California.

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

(a) TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS.—

(1) IN GENERAL.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified wildfire distribution.

(2) AGGREGATE DOLLAR LIMITATION.—

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

(i) \$100,000, over

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

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

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

(3) AMOUNT DISTRIBUTED MAY BE REPAID.—

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

(B) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified wildfire distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified wildfire distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(C) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified wildfire distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, the qualified wildfire distribution

shall be treated as a distribution described in section 408(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(4) DEFINITIONS.—For purposes of this subsection—

(A) QUALIFIED WILDFIRE DISTRIBUTION.—Except as provided in paragraph (2), the term “qualified wildfire distribution” means any distribution from an eligible retirement plan made on or after October 8, 2017, and before January 1, 2019, to an individual whose principal place of abode on October 8, 2017, is located in the California wildfire disaster area and who has sustained an economic loss by reason of the wildfires to which the declaration of such area relates.

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

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

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

(B) SPECIAL RULE.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(6) SPECIAL RULES.—

(A) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405 of the Internal Revenue Code of 1986, qualified wildfire distributions shall not be treated as eligible rollover distributions.

(B) QUALIFIED WILDFIRE DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes the Internal Revenue Code of 1986, a qualified wildfire distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A) of such Code.

(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

(1) RECONTRIBUTIONS.—

(A) IN GENERAL.—Any individual who received a qualified distribution may, during the period beginning on October 8, 2017, and ending on June 30, 2018, make one or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986) of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3), of such Code, as the case may be.

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

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

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

(B) received after March 31, 2017, and before January 15, 2018, and

(C) which was to be used to purchase or construct a principal residence in the California wildfire disaster area but which was not so purchased or constructed on account

of the wildfires to which the declaration of such area relates.

(c) LOANS FROM QUALIFIED PLANS.—

(1) INCREASE IN LIMIT ON LOANS NOT TREATED AS DISTRIBUTIONS.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to a qualified individual made during the period beginning on the date of the enactment of this Act and ending on December 31, 2018—

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

(B) clause (ii) of such section shall be applied by substituting “the present value of the nonforfeitable accrued benefit of the employee under the plan” for “one-half of the present value of the nonforfeitable accrued benefit of the employee under the plan”.

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

(A) if the due date pursuant to subparagraph (B) or (C) of section 72(p)(2) of such Code for any repayment with respect to such loan occurs during the period beginning on October 8, 2017, and ending on December 31, 2018, such due date shall be delayed for 1 year,

(B) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date under paragraph (1) and any interest accruing during such delay, and

(C) in determining the 5-year period and the term of a loan under subparagraph (B) or (C) of section 72(p)(2) of such Code, the period described in subparagraph (A) shall be disregarded.

(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term “qualified individual” means any individual whose principal place of abode on October 8, 2017, is located in the California wildfire disaster area and who has sustained an economic loss by reason of wildfires to which the declaration of such area relates.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

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

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

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

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

(ii) on or before the last day of the first plan year beginning on or after January 1, 2019, or such later date as the Secretary may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

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

(i) during the period—

(I) beginning on the date that this section or the regulation described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by this section or such regulation, the effective date specified by the plan), and

(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

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

SEC. 5003. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY CALIFORNIA WILDFIRES.

(a) IN GENERAL.—For purposes of section 38 of the Internal Revenue Code of 1986, in the case of an eligible employer, the California wildfire employee retention credit shall be treated as a credit listed in subsection (b) of such section. For purposes of this subsection, the California wildfire employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. For purposes of the preceding sentence, the amount of qualified wages which may be taken into account with respect to any individual shall not exceed \$6,000.

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

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

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

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

(2) ELIGIBLE EMPLOYEE.—The term “eligible employee” means with respect to an eligible employer an employee whose principal place of employment on October 8, 2017, with such eligible employer was in the California wildfire disaster zone.

(3) QUALIFIED WAGES.—The term “qualified wages” means wages (as defined in section 51(c)(1) of the Internal Revenue Code of 1986, but without regard to section 3306(b)(2)(B) of such Code) paid or incurred by an eligible employer with respect to an eligible employee on any day after October 8, 2017, and before January 1, 2018, which occurs during the period—

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

(B) ending on the date on which such trade or business has resumed significant operations at such principal place of employment. Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

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

(d) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this section for any period with respect to any employer if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employee for such period.

SEC. 5004. ADDITIONAL DISASTER-RELATED TAX RELIEF PROVISIONS.

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

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), subsection (b) of section 170 of the Internal Revenue Code of 1986 shall not apply to qualified contributions and such contributions shall not be taken into account for purposes of applying subsections (b) and (d) of such section to other contributions.

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

(A) INDIVIDUALS.—In the case of an individual—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer’s contribution base (as defined in subparagraph (G) of section 170(b)(1) of such Code) over the amount of all other charitable contributions allowed under section 170(b)(1) of such Code.

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

(B) CORPORATIONS.—In the case of a corporation—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer’s taxable income (as determined under paragraph (2) of section 170(b) of such Code) over the amount of all other charitable contributions allowed under such paragraph.

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

(3) EXCEPTION TO OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.—So much of any deduction allowed under section 170 of the Internal Revenue Code of 1986 as does not exceed the qualified contributions paid during the taxable year shall not be treated as an itemized deduction for purposes of section 68 of such Code.

(4) QUALIFIED CONTRIBUTIONS.—

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

(i) such contribution—

(I) is paid during the period beginning on October 8, 2017, and ending on December 31, 2017, in cash to an organization described in section 170(b)(1)(A) of such Code, and

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

(ii) the taxpayer obtains from such organization contemporaneous written acknowledgment (within the meaning of section 170(f)(8) of such Code) that such contribution was used (or is to be used) for relief efforts described in clause (i)(II), and

(iii) the taxpayer has elected the application of this subsection with respect to such contribution.

(B) EXCEPTION.—Such term shall not include a contribution by a donor if the contribution is—

(i) to an organization described in section 509(a)(3) of the Internal Revenue Code of 1986, or

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

(C) APPLICATION OF ELECTION TO PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, the election under subparagraph (A)(iii) shall be made separately by each partner or shareholder.

(b) SPECIAL RULES FOR QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—

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

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

(i) such net disaster loss, and

(ii) so much of the excess referred to in the matter preceding clause (i) of section 165(h)(2)(A) of such Code (reduced by the amount in clause (i) of this subparagraph) as exceeds 10 percent of the adjusted gross income of the individual,

(B) section 165(h)(1) of such Code shall be applied by substituting “\$500” for “\$500 (\$100 for taxable years beginning after December 31, 2009)”.

(C) the standard deduction determined under section 63(c) of such Code shall be increased by the net disaster loss, and

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

(2) NET DISASTER LOSS.—For purposes of this subsection, the term “net disaster loss” means the excess of qualified disaster-related personal casualty losses over personal casualty gains (as defined in section 165(h)(3)(A) of the Internal Revenue Code of 1986).

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

(c) SPECIAL RULE FOR DETERMINING EARNED INCOME.—

(1) IN GENERAL.—In the case of a qualified individual, if the earned income of the taxpayer for the taxable year which includes the applicable date is less than the earned income of the taxpayer for the preceding taxable year, the credits allowed under sections 24(d) and 32 of the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by substituting—

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

(B) such earned income for the taxable year which includes October 8, 2017.

(2) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term “qualified individual” means any individual whose principal place of abode on October 8, 2017, was located—

(A) in the California wildfire disaster zone, or

(B) in the California wildfire disaster area (but outside the California wildfire disaster zone) and such individual was displaced from such principal place of abode by reason of the wildfires to which the declaration of such area relates.

(3) EARNED INCOME.—For purposes of this subsection, the term “earned income” has the meaning given such term under section 32(c) of the Internal Revenue Code of 1986.

(4) SPECIAL RULES.—

(A) APPLICATION TO JOINT RETURNS.—For purposes of paragraph (1), in the case of a joint return for a taxable year which includes October 8, 2017—

(i) such paragraph shall apply if either spouse is a qualified individual, and

(ii) the earned income of the taxpayer for the preceding taxable year shall be the sum of the earned income of each spouse for such preceding taxable year.

(B) UNIFORM APPLICATION OF ELECTION.—Any election made under paragraph (1) shall

apply with respect to both sections 24(d) and 32, of the Internal Revenue Code of 1986.

(C) ERRORS TREATED AS MATHEMATICAL ERROR.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use on a return of earned income pursuant to paragraph (1) shall be treated as a mathematical or clerical error.

(D) NO EFFECT ON DETERMINATION OF GROSS INCOME, ETC.—Except as otherwise provided in this subsection, the Internal Revenue Code of 1986 shall be applied without regard to any substitution under paragraph (1).

TITLE II—TAX RELIEF FOR HURRICANES HARVEY, IRMA, AND MARIA

SEC. 5101. TAX RELIEF FOR HURRICANES HARVEY, IRMA, AND MARIA.

(a) MODIFICATION OF HURRICANES HARVEY AND IRMA DISASTER AREAS.—Subsections (a)(2) and (b)(2) of section 501 of the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (Public Law 115-63; 131 Stat. 1173) are both amended by striking “September 21, 2017” and inserting “October 17, 2017”.

(b) EMPLOYEE RETENTION CREDIT.—Subsections (a)(3), (b)(3), and (c)(3) of section 503 of the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (Public Law 115-63; 131 Stat. 1181) are each amended by striking “sections 51(i)(1) and 52” and inserting “sections 51(i)(1), 52, and 280C(a)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of title V of the Disaster Tax Relief and Airport and Airway Extension Act of 2017 to which such amendments relate.

TITLE III—BUDGETARY EFFECTS

SEC. 5201. EMERGENCY DESIGNATION.

This division is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

SEC. 5202. DESIGNATION IN SENATE.

In the Senate, this division is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Speaker, I rise today to present H.R. 4667, a bill making emergency appropriations for hurricane and wildfire recovery.

Parts of our Nation have been devastated by multiple back-to-back hurricanes and wildfires that have caused tremendous loss of life, livelihoods, and property.

Hurricanes Harvey, Irma, and Maria are three of the top five most expensive hurricanes in the last 25 years. Combined with the horrific wildfires that continue to rage in California, the toll that these disasters have taken is unprecedented.

We must stand by our fellow Americans to get them the help and re-

sources they need to recover. To this end, this legislation provides a total of \$81 billion for crucial Federal programs that support ongoing relief, recovery, and rebuilding.

This includes \$27.5 billion for FEMA to provide relief and recovery assistance; \$26.1 billion for Community Development Block Grants for shelter and housing and infrastructure improvements, and the means to help large and small businesses recover; and \$12.1 billion for the Army Corps of Engineers to repair and rebuild infrastructure projects that help protect against future disasters, building in resiliency.

The bill also includes \$3.8 billion for the Department of Agriculture, which will support critical agriculture disaster assistance for massive crop and livestock loss.

Funding is also included to repair Federal highways and local transit systems, to help children displaced by the storms of Puerto Rico get back to school, and for small business disaster loans, which will allow businesses to reopen their doors as quickly as possible.

Our Committee on Appropriations will continue to monitor these recovery efforts to ensure accountability, transparency, and that every dollar is spent wisely. From Florida and Texas, to Puerto Rico and the U.S. Virgin Islands, to California, and all areas dealing with major disaster declarations, this Congress is committed to helping you.

Congress has already provided \$51.75 billion in two separate supplemental bills for these ongoing efforts. With this third tranche of emergency funding, it will bring the total funding for fiscal year 2018 emergency response to \$132 billion. This funding is desperately needed by thousands of American families, individuals, and communities to rebuild their homes and businesses, restore electric power and critical infrastructure, and to protect against further damage. It is the duty of Congress to provide this help to our fellow Americans in their times of need.

Mr. Speaker, before I close, I would like to thank everyone who came to leadership and to the Appropriations Committee to make sure that Congress is getting the assistance to those hurricane and wildfire victims that they urgently need.

I would also like to thank the clerks and professional staff and the chairs of the 12 Appropriations Subcommittees for their working tirelessly to bring this bill to the floor and, may I say, nearly 30 others this year.

It is time to get this emergency aid to those who need it. I urge my colleagues to support this bill and this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation is a failure of both process and substance. When Congress received the paltry and

insufficient disaster request from the administration, the House and Senate Appropriations Committees began a bipartisan and bicameral process to develop an emergency assistance package that would come closer to meeting the massive scale of need resulting from hurricanes and wildfires in the summer and fall 2017.

I sincerely regret that the majority leadership abandoned that process, choosing, instead, to disregard input from Democrats and even from Senate Republicans, and developed their own partisan supplemental. The results of that decision is a poor product that will not be enacted into law.

Despite some robust funding levels, this bill fails to fix a potentially calamitous Medicaid system situation for Puerto Rico and the U.S. Virgin Islands. Without help from Congress, these programs will exhaust available funding within months. This bill also fails to waive unworkable and unjustifiable cost share requirements for FEMA and the Army Corps of Engineers' projects, which could put Federal funding out of reach.

These and other serious shortcomings must be fixed before an emergency supplemental is enacted into law. Even if this supplemental passes today, the House majority's decision to exclude both Democrats and Senate Republicans from this process means that it will not be enacted this year because it cannot pass the Senate.

Instead of the partisan product with no chance of advancement, we should be considering a responsible bipartisan emergency supplemental that both the House and the Senate could pass and enact into law.

Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CULBERSON), the chairman of the Commerce, Justice, and Science, and Related Agencies Subcommittee.

Mr. CULBERSON. Mr. Speaker, I thank Chairman FRELINGHUYSEN and Speaker RYAN for rejecting the Office of Management and Budget's completely inadequate funding request that they sent to Congress. It is the job of the Appropriations Committee and Congress to write these emergency spending bills, and we have done so.

I am one of eight subcommittee chairmen who held public hearings at the request of the chairman. I want to thank Chairman FRELINGHUYSEN for listening to all of us to change the legislation to ensure that the State of Texas, Florida, and Puerto Rico are a long way towards being made whole. This is a tremendous step in the right direction. We are grateful for the funding that is contained here. We are also grateful for a lot of the changes that the chairman and the committee have included.

For example, we have got \$12 billion here for the Army Corps of Engineers' projects that is going to be prioritized

and targeted to areas that have suffered repeated floods over the last 2 years, to areas that have been declared disasters by the President. That will help ensure that the people of Texas, in particular, who had 53 inches of rain over an area the size of New Jersey, the people of Texas and southwest Louisiana who suffered from Hurricane Harvey, those projects will receive priority consideration by the Army Corps of Engineers. That is going to help us get that third reservoir built in north-west Harris County.

This funding is also sufficient to fully pay for all federally authorized flood control projects in southeast Texas. That means we will have front-loaded funding for a critical project to finish out Brays Bayou, to build it to the 100-year flood protection standard.

The Army Corps of Engineers' funding is also going to allow us to dredge the Port of Houston, the Port of Beaumont, and open up those ports to full capacity.

Another important change that the chairman included at my request, and I am very pleased it is in there, is that we had a lot of people flooded because the Army Corps of Engineers opened the floodgates necessarily on Addicks and Barker.

These folks were flooded by the action of the government in the Neches River Waterway and the Sabine Waterway and on the San Jacinto River.

Chairman FRELINGHUYSEN included language that allows the Governor of the State of Texas to ask for a waiver of the prohibition against duplication of benefits.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Texas.

Mr. CULBERSON. Mr. Speaker, it is important for the people of Texas to know that help is on the way to not only repair the damage caused by the flood, but if they were flooded by the action of the government, there is a provision in this legislation today that will allow the Governor to request that they be compensated, that they can take out an SBA loan at the front and they will pay the government back, and then receive a Community Development Block Grant at the end to help make them whole.

Mr. Speaker, we will also be able to rebuild churches and synagogues. That is vitally important because we suffered so much damage in southeast Texas.

I am proud to support this legislation, and I look forward to working with the chairman and my colleagues as we go forward, if there is additional funding needed. I am very grateful for the support of Congress. I urge Members to support this vital legislation to help the people of southeast Texas, Florida, and Puerto Rico have a better Christmas.

Mrs. LOWEY. Mr. Speaker, I yield 5 minutes to the gentleman from New

York (Mr. SERRANO), the ranking member of the Commerce, Justice, Science, and Related Agencies Subcommittee.

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, I thank the gentlewoman for the time.

I rise to sadly oppose this disaster supplemental, which does not do enough to help Puerto Rico and the U.S. Virgin Islands.

This is a bill created by Republicans with little Democratic input. At some point, they decided that rather than working in a bipartisan manner, they wanted to try and address these disasters without taking into account some of the most important Democratic priorities.

In particular, it does not address many issues crucial to Puerto Rico's recovery in the wake of Hurricanes Irma and Maria. For instance, it does nothing to address the looming Medicaid cliff, which will devastate health kits access and delivery on the island early next year. It does not waive numerous local cost share requirements, which will make it extremely difficult for the government of Puerto Rico to access large parts of the Federal funding made available here.

It does not do enough to help States like New York and New Jersey and others that have generously opened their arms to our fellow citizens displaced by these storms.

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It expands the powers of the Puerto Rico Fiscal Oversight Board, giving them authority to approve the recovery plans of Puerto Rico's government.

The end result of all of this is further delay in Puerto Rico's recovery. This is not the message that we want to send to 3.4 million American citizens this holiday season.

As I look at my notes and as I look at what this debate may become today, it really comes down to one point: we as Americans, we as the United States Congress, we as the U.S. Government still have not come to grips with the fact that, yes, we have territories, that, yes, we have colonies.

If you ask the American people, "Are the people of Puerto Rico American citizens?" you would be shocked before all this information went out on the hurricanes how many would say: "I don't know. I served with some in the Army, but I don't know if they are citizens."

Well, I think, more and more, we need to know that the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and Puerto Rico are part of the American family. It is not as a long gone member of my party once told me when I said: What are we going to do about Puerto Rico in this bill?

He said: Well, we have no money left over.

I said: Did you have money left over for the 50 States?

He said: Well, they go first.

I said: Why do they go first? Why can't the whole family go together?

So my plea that I have made for years, I continue to make. There is a bigger issue than the one we are discussing today, and that is the fact that we have territories. We have colonies. They are part of the United States. They should be part of our family. We should treat them as such.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Homeland Security Subcommittee on Appropriations.

Mr. CARTER of Texas. Mr. Speaker, I thank the gentleman for yielding.

I recently flew in a C-130 with a gathering of my colleagues and members of the Senate the length and breadth of Florida, across the Gulf of Mexico, and up and down the Gulf Coast of my home State of Texas and looked at the devastation that, in 1 day, on about a 12-hour flight, we could see all the devastation that took place from these terrible storms.

That is why this supplemental is so very important, because this is not about numbers, this is not about anything; it is about people, human beings. We helped people move their ruined furniture out of their houses when we were on that trip. We saw the devastation. We saw the tears and the pain that these people were dealing with.

As chairman of the Homeland Security Subcommittee on Appropriations, I am proud to have had a small part in working on this project.

Let me explain that the supplement provides \$28.6 billion for the Department of Homeland Security; \$27.5 billion is for the Disaster Relief Fund to provide for the continued response and recovery efforts for all recent disasters. These funds will provide for the recovery efforts of all disasters that have received a major disaster declaration, to include, Texas, Florida, California, Puerto Rico, and the U.S. Virgin Islands.

This money is needed to ensure food, water, and temporary shelter is made available to disaster survivors. These funds are used for debris removal efforts, the first step in recovery. These funds will also support the long-term recovery efforts to help rebuild utilities, bridges, roads, and buildings.

\$4 billion of this can be used for community disaster loans to help communities pay for essential services while they get back on their feet.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. CARTER of Texas. Mr. Speaker, I thank the gentleman for yielding.

The bill also includes \$1.1 billion to address the damages to important Coast Guard, Customs and Border Protection, and Transportation Security Administration facilities.

The supplement provides \$4.4 billion more than requested, but we looked at

each project to ensure that funding was only going to projects that address damages, improve resiliency, and increase disaster responses.

Mr. Speaker, I thank Chairman FRELINGHUYSEN for his leadership. He has been right on top of this, and we have got a good product here.

Mr. Speaker, I urge a “yes” vote on the supplemental.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY), the chair of the Democratic Caucus.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time, and I thank her for her work. I thank Mr. FRELINGHUYSEN, as well, for his work and my colleagues on the other side, but I have reservations, strong reservations about this bill.

I appreciate the very real needs of those still recovering, our American citizens and friends and family in Florida and Texas, and that concern is genuine. I have always supported aid to other parts of the country, even when some of my colleagues on the other side of the aisle refused to help New York and left New York hanging after Superstorm Sandy. I have never let that get in the way of my wanting to be helpful to my fellow citizens anywhere in this country who are under duress.

But I can't, in good conscience, vote for this bill. It leaves some of the hardest hit and most vulnerable Americans, American citizens, without the help that they need. It treats Puerto Rico and the Virgin Islands as second-class citizens—not second-class people, but second-class, literally, citizens—and will stall the efforts there to rebuild.

I appreciate Mr. CULBERSON saying that the people of Puerto Rico and the Virgin Islands are a long way from recovery. I am paraphrasing what he said. I do appreciate those words. I do hope that it is an insight for my Republican colleagues and the leadership on the other side of the aisle that more help will be on the way for the people of Puerto Rico, but simply not enough is being done in this bill to help the men and women of Puerto Rico and the children of Puerto Rico today.

Our fellow citizens of Puerto Rico and the Virgin Islands are no less American than those in any of the 50 States.

I wonder if anyone would argue that point as to whether they are citizens of the United States or not. I would argue they are no less citizens of the United States than any other individuals in the rest of the 50 States, and they should be treated the same and with the same respect.

The people of Puerto Rico and the Virgin Islands suffered direct hits not from one, but from two massive hurricanes, the likes of which we have never seen before, not in our modern history. Maybe you have to go back to Alexander Hamilton and the hurricane that he wrote about back in the 1700s that rocketed him to stardom.

Here we are 3 months later. Millions—not hundreds, not thousands, but millions—of our fellow citizens in Puerto Rico and in the Virgin Islands are without power. Far too many still, because they are without power, lack clean drinking water. Thousands are unable to receive adequate healthcare, and earlier this week, the Governor of Puerto Rico ordered a recount of the storm's death toll, which could number, now, into the thousands. If that is not a sign of how neglectful the response has been to this disaster, then I don't know what would be.

The SPEAKER pro tempore (Mr. SMITH of Nebraska). The time of the gentleman has expired.

Mrs. LOWEY. Mr. Speaker, I yield 1 additional minute to the gentleman from New York.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman for yielding.

We must provide the assistance that our territories need. We must fully fund Medicaid as the islands recover. We must eliminate disparities in the law that are holding back that recovery. We must stand up for not the people of the Virgin Islands, not the people of Puerto Rico, but the United States citizens who have fought in our wars, who have defended our freedoms, for the United States citizens of the Virgin Islands and the United States citizens of Puerto Rico.

They deserve no less than how any other State is being treated after a disaster like this. They deserve no less. They deserve more than they are getting in this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CALVERT), chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations.

Mr. CALVERT. Mr. Speaker, I thank Chairman FRELINGHUYSEN for yielding.

Mr. Speaker, I rise today in strong support of H.R. 4667, which provides \$81 billion in Federal disaster assistance to States and territories recently devastated by natural disasters. This is not a small amount of money.

First, as chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations, I am pleased to include \$616.4 million for repairs, cleanup, and recovery at various agencies, including the U.S. Fish and Wildlife Service, the Environmental Protection Agency, the National Park Service, and others.

As chairman of the California Republican delegation, I have a particular interest in wildfire assistance in this bill. The coordination and collaboration between Republicans and Democrats on this bill to reflect the needs of California shows bipartisanship is alive and well.

Mr. Speaker, I would certainly like to thank Congressman MIKE THOMPSON for his tireless efforts in regard to the fires in northern California.

Last month, I toured Santa Rosa, California, which was absolutely deci-

ated after a wildfire tore through the area. Forty people lost their lives, and more than 14,000 homes were destroyed or damaged.

As a lifelong California resident, I have seen a lot of fires and the resulting devastation, but I have never witnessed anything like I saw in Santa Rosa. The stories of survival and heroics of our first responders truly are incredible. Now, in the aftermath, we must come together to recover and rebuild.

This bill is the first step towards recovery and provides \$27.5 billion for the Disaster Relief Fund, a \$4.5 billion increase from the request, a 90 percent Federal cost share for wildfire disasters; and \$541 million for watershed and flood prevention efforts, which will be vital as the rainy season begins in California.

California will be eligible for nearly all the various sources of disaster funding in this bill, including for crop losses, Army Corps of Engineers projects, Federal highway damages, small business assistance, displaced employees, and student assistance, among others.

With my colleagues, I will continue to monitor the fire situation and respond as needed. The Thomas Fire in Ventura County has burned over 272,000 acres, on track to be the largest wildfire in California history; and, unfortunately, the fire rages on.

Mr. Speaker, I especially want to thank Chairman FRELINGHUYSEN and the Appropriations Committee staff for their outreach and responsiveness to the fires in California. We greatly appreciate their assistance and ongoing support.

Mr. Speaker, I would be remiss if I didn't thank all my staff and the Interior Subcommittee, but in particular, my chief of staff, Dave Kennett, and on the Interior Subcommittee, Betsy Bina, both of whom went above and beyond to deliver results for California.

On a quick note, best wishes for Betsy, who is getting married today.

Mr. Speaker, I urge passage of this emergency supplemental funding bill.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I want to thank the gentlewoman from New York; I want to thank the chairman; but I do want to take a moment and particularly thank the gentlewoman from New York for the kindness that she showed the first victims of this horrific hurricane season.

I remember coming back to Congress in the immediacy of Hurricane Harvey. Many don't know, but I left my home in a firetruck—not out of desperation, but to go where my constituents were—and spent the rest of the time with 14,000 homeless evacuees in a shelter that had been set up immediately with concern about the city of Houston.

We had meetings starting at 6 a.m. In the evening, as the waters started moving in different communities and different communities became flooded, we

could see evacuees carrying their only belongings—pillows, just a paper bag—flooding into the George R. Brown Convention Center.

This is serious for me.

I remember seeing elderly persons being evacuated after the Addicks Reservoir, Barker Reservoir was released and family members standing on what was now the shore waiting for those loved ones. I know the family and went to the funerals of the six family members who died in Greens Bayou in my congressional district.

I introduced a bill, H.R. 3686, which the gentlewoman from New York was quite interested in. It was for \$174 billion. If we had that amount now, I would be more than happy to share that with Puerto Rico and the Virgin Islands.

We don't have that. And I am extremely disappointed that we have \$81 billion, not because of the lack of the hard work of those who worked on the Appropriations Committee, because I know they wanted to do more, but there were other distractions—like a \$1.4 trillion tax cut.

□ 1515

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

Mrs. LOWEY. I yield the gentlewoman from Texas an additional 1 minute.

Ms. JACKSON LEE. I want to thank my Texas colleagues. We worked together, and I truly appreciate that and will thank them for it.

Today, I indicated that I have constituents who are down testifying in Houston about their devastation, so I want to make this point. First of all, I fought very hard for a \$1 billion grant program for small businesses. I want to tell my constituents it is in, and I want to tell the State of Texas they have to put that in their application that they want to give small businesses grants and not loans.

There is \$12 billion in CDBG programs. I want to make sure that the State works with us to ensure that the elderly, the people who have no resources, families that have no resources have their homes rebuilt or they have their homes fixed.

I want to make sure that the watershed study comes under section title IV, that the Army Corps is listening, that the watershed program that I have passed in two sessions to study the bayous, as to why Greens Bayou and Buffalo Bayou and White Oak Bayou and Halls Bayou flood, and why people lose their lives. I want that watershed done, and the Army Corps of Engineers, I hope, will listen.

There is a lot of work left to be done. We have got to get more money. And I am glad that Puerto Rico and the U.S. Virgin Islands are in, but you can count on me, Texas, and count on me, Puerto Rico and the U.S. Virgin Islands and Florida. We will fight into the new year to ensure that we get more funding. But these items have to

be considered. We fought hard for them.

Mr. Speaker, I rise to speak on H.R. 4667, "Making Further Supplemental Appropriations for Fiscal Year 2017."

H.R. 4667, provides \$81 billion in aid to respond to the damage caused by Hurricanes Irma and Maria, and the wildfires in California.

I thank the Speaker and Rules Committee Chairman SESSIONS for acting favorably upon my request to bring this emergency disaster supplemental to the floor for debate and vote as a stand-alone measure.

But the fact remains that the amount of funding provided in the disaster relief package is very disappointing because it is not nearly sufficient to ameliorate the suffering still being experienced by the people of the communities in the areas affected by Hurricanes Harvey, Irma, and Maria.

Congress has had more than three months to develop an aid package that it is commensurate to the challenge faced by the affected states and territories in rebuilding their devastated communities.

Much of this time has been squandered by the Republican congressional leadership all-consuming focus on ramming through the Republican Tax Scam legislation that gives 83 percent of its benefits to the top 1 percent, raises taxes on working and middle-class families, takes away health insurance from 13 million Americans, explodes the deficit by \$1.5 trillion and the national debt by \$1.7 trillion, and will be paid for by 5.4 trillion in cuts to vital programs Americans depend on, including an imminent \$25 billion reduction in Medicare funding.

Mr. Speaker, on September 6, 2017, ten days after Hurricane Harvey struck and joined by 44 of our colleagues, I introduced H.R. 3686, the "Hurricane Harvey Supplemental Appropriations Act of 2017," which provides \$174 billion in disaster relief for the areas affected by Hurricane Harvey, the worst superstorm ever to strike the mainland United States.

The \$174 billion in funding provided by H.R. 3686 represents a comprehensive response commensurate to the challenge; specifically my legislation provides relief in the following amounts:

1. Housing and Community Development Fund: \$50 billion
2. FEMA Disaster Relief Fund: \$35 billion
3. Army Corps of Engineers—Construction: \$15 billion
4. Flood Control and Coastal Emergencies: \$13 billion
5. Public Transportation Emergency Relief Program: \$33 billion
6. Small Business Disaster Loans Program: \$2 billion
7. Emergency Conservation Activities: \$650 million
8. National Oceanic and Atmospheric Administration: \$321 million
9. National Aeronautics and Space Administration: \$50 million
10. Legal Services Corporation: \$10 million
11. Army National Guard: \$10 million
12. Army Corps of Engineers—Civil Investigations: \$150 million
13. Coast Guard: \$450 million
14. National Park Service Historic Preservation Fund: \$800 million
15. EPA Environmental Programs and Management: \$2.5 billion

16. EPA Hazardous Substance Superfund: \$7 million

17. Leaking Underground Storage Tank Fund: \$15 million

18. State and Tribal Assistance Grants: \$600 million

19. Employment and Training Services: \$100 million

20. Public Health and Social Services Emergency Fund: \$2.5 billion

21. Airport and Airway Trust Fund: \$90 million

22. Federal-Aid Highways Emergency Relief Program: \$6.5 billion

And that is just for Texas and the areas affected by Hurricane Harvey; the damage wrought by Hurricane Irma in Florida, and Hurricane Maria in Puerto Rico and the U.S. Virgin Islands was nearly as great in dollar terms and equal in the level of misery and suffering inflicted on the residents.

Mr. Speaker, on September 20, 2017, Hurricane Maria made landfall in Puerto Rico, along the southeastern coast, near the small town of Yabucoa.

The devastation wrought on that beautiful Caribbean oasis and its 3.5 million inhabitants, our fellow citizens of the United States, is unimaginable, except perhaps to those of us who have lived through and survived similar natural disasters, like Hurricanes Harvey and Katrina.

At least 48 people have died as a result of the storm as rescue and recovery operations proceed, a number likely to rise, especially with so many elderly, sick, and very young persons at risk.

Much of Puerto Rico's population is still without potable drinking water and large swaths of the population still lack electrical power.

Hurricane Maria destroyed 80 percent of Puerto Rico's agricultural industry, including banana, plantain and coffee crops, which translates into lost income of approximately \$780 million.

On August 30, 2017, Hurricane Irma struck, inflicting horrific damage on the U.S. Virgin Islands of St. Thomas, St. Croix, and St. John, the Caribbean nations of Barbuda, St. Maarten, Cuba, and Anguilla, before making landfall in the Florida Keys.

In Florida alone, 6.4 million people told to evacuate to safety, leading to days of jammed highways and frantic searches for gasoline amid one of the nation's largest ever emergency evacuations.

At least 124 persons are known to have lost their lives in Hurricane Irma, more than 200,000 Floridians took refuge in shelters, and nearly 6.5 million homes and businesses were without power.

Mr. Speaker, we do not yet know the full extent of the damage and devastation suffered by our fellow Americans in Florida, the U.S. Virgin Islands, and Puerto Rico in the wake of Hurricanes Irma and Maria.

But what we do know is that the costs of recovery and reconstruction will be extensive, best estimates place the cost in the range of \$50–\$100 billion.

This puts in perspective the inadequacy of the amount of disaster relief provided under H.R. 4667 and why more, much more, must be done.

Mr. Speaker, right now, at this very moment, approximately 300,000 Texans—in Port Arthur, in Port Aransas, in Houston and Harris County—remain homeless or are living in substandard homes with blue tarp roofs and infected with mold.

Today, residents of the Cashmere Gardens community are meeting with local government officials to highlight their plight and those of other residents in the northeastern part of Houston.

They are angry and frustrated and anxious, and who can blame them?

Mr. Speaker, this is personal to them; and it is personal to me.

That is why right now my highest priority is to ensure that funding that has been made available expeditiously gets in the hands of local governments so that relief can be delivered the resources and services so desperately needed.

And I will be working with the Texas General Land Office and HUD Secretary Carson to relieve the emergency housing crisis in my congressional district and state.

Mr. Speaker, I wish to commend the bipartisan leadership of both chambers, and my colleagues in the Texas congressional delegation for their diligence and commitment in bringing this package to the floor for debate and vote.

I thank Chairman FRELINGHUYSEN and Ranking Member LOWEY, and Speaker RYAN and Democratic Leader PELOSI, and their Senate counterparts for the work that has been done thus far and for their assistance in the work that lies ahead.

I also thank Chairman FRELINGHUYSEN and Ranking Member LOWEY, and T-HUD Appropriations Subcommittee Chairman DIAZ-BALART, and Energy and Water Appropriations Subcommittee Chair SIMPSON and Ranking Member KAPTUR for including in the legislation before us the following beneficial measures that I requested, including:

1. Authority to establish an implement a \$1 billion pilot program to provides small business disaster recovery grants, modeled on H.R. 3930, the "Hurricane Harvey Small Business Recovery Grants Act," legislation I introduced on October 3, 2017 and co-sponsored by 16 of our colleagues.

2. \$75 million for the U.S. Army Corps of Engineers' Investigations account, which is to be used in areas affected by Hurricanes Harvey, Irma, and Maria, and can be used to finance the \$3 million Houston-Area Watershed Assessment Study I have worked to secure and previously approved by the House.

3. The bill also includes helpful legislative language to ensure that in awarding CDBG-Disaster Relief funds to states, the Secretary of HUD should to the maximum extent practicable award grants to units of local government and public housing authorities that have the financial and administrative capacity to manage a grant awarded under the program.

Let me describe briefly some of the major provisions contained in the Disaster Relief Supplemental:

1. FEMA Disaster Relief Fund: \$27.5 billion to provide critical funding to assist the ongoing federal disaster response. allows up to \$4 billion to be provided for Community Disaster Loans (CDLs).

2. Community Development Block Grants Disaster Recovery (CDBG-DR): \$26.1 billion for housing and infrastructure needs. \$13.56 billion for grants to states, tribes, and territories for unmet housing needs and business losses.

3. \$12.5 billion for mitigation efforts to help communities protect against future disasters.

4. This funding can provide for housing elevation, buyouts in the flood plain, water/sewer

infrastructure enhancements, public infrastructure hardening (e.g. storm proofing public buildings).

5. Federal Highway Administration's Emergency Relief: \$1.4 billion to address all current damages to federal highways caused by designated disasters

6. \$12.11 billion for the Army Corps of Engineers to repair existing damages by natural disasters and for studies and projects to reduce the risk of future natural disasters, \$75 million to expedite studies to help mitigate future disaster damage.

7. 2.9 billion to help displaced students get back to school. funding can be used for both public and private schools

8. \$3.8 billion for agriculture assistance.

9. \$1.66 billion for Small Business Administration Disaster Loans to assist small businesses and homeowners repair or replace real estate, personal property, machinery and equipment, and inventory and business assets.

Mr. Speaker, there is much more work to be done in my city of Houston, and across the areas affected by the terrible, awesome storm that will be forever known simply as Hurricane Harvey, and by Hurricanes Irma and Maria.

That is why I am disappointed that only \$81 billion is being provided at this time.

That is why it must be emphasized and understood that this can only be understood as a partial response because much more funding will be needed to provide our fellow Americans in Texas, Florida, Louisiana, Puerto Rico, and the U.S. Virgin Islands the help and support they need to restore their communities to their previous greatness.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), the chairman of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee.

Mr. DIAZ-BALART. Mr. Speaker, let me first thank the chairman of the committee for his spectacular work on this bill.

Look, this bill provides much-needed relief and resources to Texas, Florida, the U.S. Virgin Islands, California, and Puerto Rico. I have heard a lot in this debate, but let's be very clear. This bill treats Florida, the folks in Florida, Texas, Puerto Rico, the U.S. Virgin Islands, and California exactly the same—exactly the same.

Significant portions, Mr. Speaker, of my district were hit hard by Hurricane Irma. Communities are still working to get back on their feet, communities like Everglades City, Chokoloskee, Plantation Island, Immokalee, and Montura Ranch.

This bill helps meet our Federal obligation to ensure the full, appropriate Federal commitment is there for long-term recovery.

Mr. Speaker, for highways, this bill funds repairs for the 2017 storms and clears the backlog of prior years.

On the housing side, this bill provides \$26.1 billion for Community Development Block Grants. Of that, \$13.6 billion is provided to meet all remaining unmet housing, business, and infrastructure needs for those hurricanes, and, yes, that includes the Virgin Islands and Puerto Rico.

The remaining \$12.5 billion is provided for mitigation grants, again, also to Puerto Rico and the Virgin Islands and Florida and California and Texas. All of those are treated exactly the same. So, again, these grants provide resources to our communities so that they can rebuild.

Additionally, I am pleased that \$3.8 billion is allocated for the Department of Agriculture. This will go a long way to help those affected, those farmers, like the ag industry and the citrus industry in the State of Florida.

So, again, I strongly urge a "yes" vote on this important supplemental.

I once again want to thank the chairman, Chairman FRELINGHUYSEN, for his leadership, for his courage, for bringing forward a good bill that helps the folks in our country and that treats everybody equally, equitably, and fairly.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, this year has been the worst fire season in California history. The October fires included 21 major fires that were fought by over 11,000 firefighters.

They were driven by powerful winds that reached speeds of over 80 miles an hour, and these fires moved, at times, as fast as 200 feet per second. That is 40 football fields in a minute. They burned nearly 300,000 acres.

They forced over 100,000 people to evacuate their homes, and they destroyed over 9,000 homes and structures. And, most tragically, 44 people lost their lives.

Our communities have been devastated, Mr. Speaker, but they have also come together and supported each other in inspiring ways, and now they begin the very long road to recovery.

I am pleased to see this supplemental funding package will deliver much-needed funds for fire recovery. I want to specifically thank Congressmen CALVERT, MCCARTHY, and PELOSI, who came out and saw this devastation and have been working with us to make sure we get the funds that we need. I want to thank the appropriators and the appropriations staff for all their help as well.

With the support of the entire California House delegation, the State of California has requested \$4.4 billion for fire-related disaster relief. These funds will be vital to helping families rebuild their homes and their lives and to supporting our community as they rebuild critical infrastructure and restore essential services.

It is critical that the Federal Government steps up and does its part to support our long-term recovery. This funding package is an important first step in that effort.

I have a picture of one of the devastated areas. This is over 3,000 homes in one swath that were just burned to the ground. Folks in California who experienced this terrible disaster need our help.

I ask for an “aye” vote.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Transportation and Infrastructure Committee.

Mr. SHUSTER. Mr. Speaker, I thank the chairman for yielding, and I thank the chairman and the Appropriations Committee for bringing forward this extremely important legislation, which includes important FEMA reforms which were approved unanimously by the Transportation and Infrastructure Committee partially in response to this year’s historic hurricane season.

The bipartisan, bicameral Disaster Recovery Reform Act addresses the rising costs of disasters in the United States. It reforms Federal disaster programs to ensure our communities are more resilient and better prepared for the next hurricane, flood, earthquake, wildfire, or other disaster.

It focuses on predisaster planning and mitigation and creates incentives for communities to build better and smarter to speed recovery when disaster does strike. This will save lives, and it will also save money.

Putting our focus on mitigation is good government and is fiscally responsible. For every dollar we spend on mitigation, between \$4 and \$8 is saved in avoided disaster recovery costs later. This is good policy that will benefit every single congressional district across the country.

I want to thank many Members who contributed, but especially to my Democratic colleagues who contributed to this effort: Congressmen JOHNSON, DEFAZIO, HUFFMAN, WILSON, MALONEY, RUIZ, SINEMA, FRANKEL, and NADLER. And again, many, many others contributed to this important reform legislation.

Many Americans are still recovering from hurricane damage, and California is in the middle of fighting massive wildfires. This is extremely important legislation. I would urge all my colleagues to support it.

Mrs. LOWEY. Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES), the chairman of the Water Resources and Environment Subcommittee of the Committee on Transportation and Infrastructure.

Mr. GRAVES of Louisiana. Mr. Speaker, I thank the chairman for working with us on this and for yielding time.

I also want to thank the chairman of the Transportation and Infrastructure Committee and the ranking member for all their assistance.

Mr. Speaker, this bill doesn’t just include money, which, of course, is very, very important. It also includes language and changes that I would consider to be priceless. It includes things like applying lessons learned, reducing disaster response costs, and, importantly, speeding up recovery—things

outside Washington called common sense and applying it to how we handle disasters. It pivots from being reactive and spending billions of dollars after disasters to being proactive.

You can look back since 1980. We have had well over 200 disasters in this Nation that have cost over \$1 billion each. In fact, when you add it all up, we are looking at approximately \$1.3 trillion in disaster costs in this Nation.

As the chairman of the Transportation and Infrastructure Committee said, this bill includes text from H.R. 4460 and H.R. 4438 that transforms this process: instead of just coming in and picking up the pieces after a disaster, actually leaning forward and making sure our communities are more resilient, making sure they are prepared for disasters, making sure they are prepared for the future.

This bill includes very important provisions to the State of Louisiana that address this duplication of benefits issue, some nonsensical policy that someone came up with that a loan is duplicative of a grant. It eliminates these barriers that prevent us from spending hazard mitigation grant programs on federally authorized Corps of Engineer projects to prevent flooding and prevent hurricane damage to our communities.

It applies common sense. It ensures that deficiencies like the I-12 barrier in Louisiana are addressed. It provides funding to respond to the 2016, 1,000-year flood that we had in the capital region in Louisiana.

It provides flexibility for these STEP program housing program-type concepts that ensure that we are not wasting money that is only ripped out later on, but it truly provides long-term solutions.

Finally, Mr. Speaker, it addresses inefficiency in food banks and churches and others, and it makes them eligible. I urge adoption of this bill.

Mrs. LOWEY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BARLETTA).

Mr. BARLETTA. Mr. Speaker, I rise today in support of H.R. 4667, which includes provisions of my bill, the Disaster Recovery Reform Act.

In 2017, 8 percent of the United States population was affected by at least one disaster. This startling statistic highlights the importance of investing in mitigation infrastructure before tragedy strikes.

Studies have repeatedly shown that, for every \$1 invested up front, we can save between \$4 and \$8 in avoided recovery costs. My bill would allow us to realize those savings by transforming how we approach disaster spending.

It would provide FEMA with the programs, authorities, and resources to help our communities plan for, mitigate against, respond to, and recover from disasters.

Every one of our districts, Republicans and Democrats alike, will be im-

pacted by disaster at some point. In 2011, my own district was devastated by flooding from Hurricane Irene and Tropical Storm Lee. People lost everything, and homes and businesses were completely wiped out.

I visited with families and employers affected by this tragedy, and it made me realize that we need to do something to help communities build better and smarter before disaster strikes. My bill, the Disaster Recovery Reform Act, will do just that. It will save lives, lessen damage, and speed up recovery.

I thank Chairman SHUSTER and my colleagues on the Transportation and Infrastructure Committee and the Senate for their work on this bipartisan and bicameral agreement.

Again, I urge swift passage of H.R. 4667.

Mrs. LOWEY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, my congratulations go out to Chairman FRELINGHUYSEN and to Chairman SHUSTER for putting these FEMA reforms into law that were long overdue. I thank the gentlemen for their support.

I rise in support of H.R. 4667, the critical disaster assistance legislation to help those affected by Hurricanes Harvey, Irma, and Maria this year.

I have said on the floor of this House numerous times that I believe it is important for Congress to come together when disaster strikes to help those impacted. Helping our fellow Americans after a disaster is the right thing to do.

And, don’t forget, you never know when a disaster may hit your State. That is why I am thankful to Chairman FRELINGHUYSEN and Chairman SHUSTER for including language important to my home State of Illinois in this bill. My bill, the Disaster Declaration Improvement Act, requires FEMA to place greater weight and consideration on the severe, localized impact of the damage following a disaster.

□ 1530

I want to thank my colleague, Congresswoman CHERI BUSTOS, for working with me on this bipartisan bill.

FEMA currently takes into account several factors when determining the need for public and individual assistance. However, there is no standard to determine which factor is more important than another, which leads to a highly subjective process, and one that has left rural counties in very populated States, like Illinois, left without help from the Federal Government.

It is because one major factor used by FEMA is a State’s population. Currently, FEMA multiplies a State’s population by \$1.39 to use it for the threshold to determine need, meaning, for Illinois to receive assistance, damages would have to be \$18 million or more.

As you can see by this chart, that is more than or nearly double that of all

of our neighboring States. There have been multiple times where a storm hits both Illinois and our neighbors, but Illinois is the only one denied assistance.

One of the most recent examples is, 2 years ago this Christmas, flood damage throughout 16 counties cost \$15 million in damages. Missouri, who was also impacted by this same storm, received assistance, but Illinois did not.

This is wrong. My constituents pay into the Disaster Relief Fund to help other States. It should be there when they need it.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, California is experiencing the worst fire season in its history. Tragically, these fires have taken 46 lives, including one of our brave Cal Fire firefighters, Cory Iverson.

California has lost nearly 10,000 homes and structures since the start of the October wildfires. The need for relief and assistance is immediate.

Mr. Speaker, I support the swift passage of the Emergency Disaster Aid Package, which includes legislation I introduced, the California Wildfire Disaster Tax Relief Act of 2017.

These specific provisions will allow victims to deduct property damages and access retirement funds without penalty, as well as encourage charitable giving.

Passage of this bill will help mitigate the burden of these devastating wildfires and allow people to begin rebuilding their lives.

Mr. Speaker, California faces a long road to recovery and rebuild from this devastating fire season. I urge my colleagues to aid in that recovery by voting for the Emergency Disaster Aid Package.

Mrs. LOWEY. Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding time to me and for his tremendous bill. It is a great bipartisan piece of legislation.

Mr. Speaker, after Superstorm Sandy, I and others saw how leaders and volunteers of churches, synagogues, and other religious centers helped feed, clothe, and shelter tens of thousands of victims, yet they were left out and left behind when it came to repairs of their own facilities.

The FEMA policy was and is unfair, unjustified, and discriminatory. Over 4 years ago, the House came together in the wake of Superstorm Sandy and passed legislation that I authored by 354-72. Surprise, surprise, the Senate never acted, so the policy continues to this day.

I want to thank the chairman for including a provision in this bill that will ensure that houses of worship, churches, and synagogues get the kind of help they need on an equal basis with other

nonprofits. I also want to thank him for including language that will get rid of this misnamed duplication of benefits clause.

Imagine this: men and women who are victimized by Superstorm Sandy or any other storm, they go to FEMA, they are advised to take out an SBA loan, then a little later in the recovery time, they are told that there is a HUD grant available, and they are precluded from getting that grant to even pay off the SBA loan.

Mrs. LOWEY. Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Speaker, I rise today in strong support of this emergency supplemental bill.

This emergency funding provides much-needed and, frankly, overdue relief to my district in northeast Florida.

In September, Hurricane Irma caused flooding that the city of Jacksonville had not seen in more than 150 years. Downtown was literally under water, power was out for many days, and homes and businesses were shuttered.

In our more rural agricultural communities in Nassau County and St. Johns County, crops were wiped out, hurting our agriculture community for months, if not years to come.

The city of Jacksonville recently projected that Hurricane Irma will cost the city \$85 million.

I would be remiss if I did not commend the quick Federal response, the leadership of our Governor, and the planning and coordination of local emergency management officials and first responders, who saved lives and made our community safe and quickly back up and running.

But the Federal support in this bill provides the next phase in emergency response that we so desperately need.

I would like to thank Chairman FRELINGHUYSEN and his committee and committee staff for their work to get this bill over the line. I urge my colleagues in the strongest way possible to support this bill.

Mrs. LOWEY. Mr. Speaker, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding time to me and for his work.

Mr. Speaker, it is only 4 days until Christmas. I look forward to going home and being with my family. I know every single Member in this body looks forward to that, too. I count my blessings that my family is safe and that I have a community and home to head back to.

There are people in this country who don't have that. Their homes were destroyed by wind, flood, and fires. Their communities were torn apart by hurricanes and flames.

Mr. Speaker, I had the somber privilege of traveling to these places. I went

to Texas and spent time with Members from both sides of the aisle, seeing the flooded homes and streets filled with water. We visited NRG Stadium to meet the people forced to evacuate their homes.

I stood with Representatives like SHEILA JACKSON LEE, AL GREEN, RANDY WEBER, and BRIAN BABIN. These folks don't often agree on much in politics. But you know what we did that day? We all promised to help the people of Texas.

I flew to the Virgin Islands and Puerto Rico with Minority Whip STENY HOYER, and I would like to thank Delegate STACEY PLASKETT and Resident Commissioner JENNIFFER GONZÁLEZ-COLÓN for welcoming us and opening the eyes of the Nation to what was happening.

In the Virgin Islands, we visited a hospital. The storm left half of it unusable. No dialysis machines. They had to come to the mainland. Nurses and doctors were working, doing the best they could to help people in the most difficult of circumstances.

In Puerto Rico, we were the first congressional delegation to visit the interior after the storm. We were with Members like JEFF DENHAM, ANTHONY BROWN, and NORMA TORRES. We met people without power for weeks, low on food, low on medicine. We saw schools and homes destroyed and completely washed away.

We then went to Florida to see the other towns hit by Hurricane Irma, places that face storms year after year.

I returned to my home State of California with Congressmen MIKE THOMPSON and JARED HUFFMAN during the worst wildfire season our State has ever seen. We saw the fires rage up north, where it destroyed entire communities. Forty-six people have lost their lives in the fires in California this year.

You could see the devastation, block after block. Ash heaps of homes and trees, standing like barren pillars.

I met with firefighters down south, still battling what may become the largest wildfire in California's history. As it looks right now, they will still be standing on the front lines of those fires come Christmas day.

Every single place I went, Democrats and Republicans stood together. We saw the devastation together. We spoke to the suffering that the people were having together, and together we made a promise that we would return here to Washington and work hand-in-hand to help them as soon as possible.

That is why you heard Minority Whip STENY HOYER, on September 26, say that he would "work with colleagues on both sides of the aisle to ensure Congress provides all funding necessary to ensure that all Americans affected by these storms can recover and rebuild."

That is why he said on November 2 that he believes "we can work together in a bipartisan way to ensure that the affected areas receive the resources they need from Congress."

That is why I appreciated joining him in an op-ed piece that was in *The Washington Post* on November 8, where we wrote: “We are determined to ensure that there is strong bipartisan support for the next supplemental emergency funding package so that affected areas, such as those we visited, have the resources they need.”

Minority Leader NANCY PELOSI spoke similarly. She signed a letter with Members across California saying to President Trump that: We look forward to working with you to ensure that all Americans who have been severely impacted by recent natural disasters across the United States receive the Federal support they need and deserve.

She told the Appropriations Committee that: Congress has an urgent responsibility to the California families, whose lives have been upended by disastrous wildfires.

I couldn't agree more with these statements. In the past few weeks and months, we did—we worked together. We analyzed the damage. We studied the requests from Governors and legislators. We even made significant reforms to respond to disaster in the most effective and responsible way possible.

The legislation today is the result. It provides funding for every single State and territory affected by natural disasters.

I remind all my friends from California that this legislation accommodates exactly what our entire delegation requested.

In all this work, we did it together in a bipartisan way; the way the American people expect this body to work.

Now, I know it is the habit of this town to play politics. Mr. Speaker, I do want to tell my friends on the other side: If they feel like they have to, play politics on tax cuts. Call it whatever you want to call it. Play politics on all the other legislation that comes to this floor.

But if I can request one thing: Please don't do it here. Don't play politics on a vote to give aid to the people of Texas; to the people of Puerto Rico; to the people of the Virgin Islands; to the people of Florida, and to the people of California, who are still fighting the fires.

Don't play politics on a bill that you are going to hope to maybe stop another. That would be the worst of any politics I have seen played here.

Mr. Speaker, I beg my friends on the other side: Please don't do what they did 2 weeks ago when they whipped against the funding bill to shut the government down. If they don't like tax cuts, I understand; vote against them. If they don't want to vote for the funding of the government and they want to shut it down, fine, take that vote.

But here and now, right before Christmas, don't vote against aid for Americans who just lost everything. They don't understand the politics in it. Don't vote against aid we promised

to deliver. Don't vote against aid we worked so hard together to put on this floor.

Washington, D.C., can be far from our homes. We may all be dreaming of being home with our kids, eating Christmas dinner, opening presents, and enjoying time with our family and friends; but what we do here and now has consequences. What we do here and now will either give tens of thousands of people something to hope for this Christmas, or take that hope away.

We can deliver that hope if those who stood with me on the flood plains of Texas and on the burnt hills of California keep the promise they made. We can deliver that hope if those who worked with us for so long continue to work with us today.

People need our help. Vote to give them the help they need, the help we all promised.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, at this moment I would like to speak on behalf of the people who I represent, the people of the Virgin Islands.

I am thankful that this House has decided that they wanted to work in a bipartisan manner on supplemental aid for the unprecedented disasters that have occurred in the Virgin Islands.

I did hear the voice of so many of my colleagues who said that they would be willing to do whatever was necessary to support the people of the Virgin Islands.

But right now, as I stand here, people of the Virgin Islands, almost 60 percent of them, still do not have power.

□ 1545

I have no power in my own home, and those of you in Florida, Texas, and in other places would not stand for that. But you expect us to stand for it. We are supposed to muddle through.

We are only supposed to have hope this Christmas of what is supposed to come?

Mr. Speaker, you can have hope at your Christmas dinner because you have got some lights on. My house I will go empty to, it will be cold, and it will be dark there until my husband and I crank up the generator and get it going for a couple of hours so that maybe we can wash, cook some food, and turn it back off again later in the day.

Today, I am urging my colleagues to vote “no” on H.R. 4667, not because I don't want supplemental support, not because the people of the Virgin Islands don't need it, but because I understand that I have said, when this measure was unveiled, that the funding in this bill is woefully insufficient, and it has not improved since that time.

This measure provides only \$81 billion to be split between Texas, Florida, Puerto Rico, the Virgin Islands, and other places. If history is any indication, that money is not going to get to the people of the Virgin Islands, because while the California delegation and the Texas delegation can lobby in late hours to get what they need in the bill, I am the only person from the Virgin Islands here to support the people of the Virgin Islands. Not only do I not get invited to those negotiations, I don't even have a vote when the bill that comes to providing for the people that I represent comes on this floor.

One of the things that is noticeably absent from this disaster package is funding for Medicaid programs, the same type of funding that was put in, in discussions for Katrina, for the people of Texas and Louisiana.

The government of the Virgin Islands cannot shoulder the current burden of the local matching requirements for Medicaid funding which the government of the Virgin Islands has recently submitted to be \$64 million and an additional \$50 million. The government of the Virgin Islands has respectfully requested that the Medicaid provisions, that the cap be removed, the arbitrary cap be removed for us for a period of time for us to be stabilized and for 100 percent the same way it was for Katrina in other places be given to us.

Now, the people of the Virgin Islands and the people of Puerto Rico—I know it may be news to many people—but we are U.S. citizens. We decide to live on an island because that is where we were brought.

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

Mrs. LOWEY. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from the Virgin Islands.

Ms. PLASKETT. Because of that, we have been treated disproportionately and unfairly in the ways that some of this funding has come about.

In addition, the bill does not include important local cost-share waivers for the Virgin Islands and contains unnecessary limitations on the ability of the Virgin Islands to use Federal assistance to rebuild with more resilience.

Furthermore, the Virgin Islands cannot wait for the community development funds provided in this bill. HUD should immediately award community development funds to the Virgin Islands on the damage assessments that have been completed.

Those are things that I can get around. Those are real support in a real bill that is really working in a bipartisan way to help all Americans—not just delegations who can get together in the dark of the night and in the cold of the night and make provisions for themselves leaving those of us. I have told my colleagues on this side of the aisle that they are going to pick off Puerto Rico and the Virgin Islands, we are going to be left out.

Some of you are going to get what you want, and you are going to vote for

this. Once again, the people who have no vote on this floor, the people who have no say in this country, although they are U.S. citizens, are going to be left out.

Mr. Speaker, I am urging all of my colleagues to vote “no.”

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself 1 minute to close.

Mr. Speaker, I would like to reiterate that the bill before us is insufficient to meet the needs of those living in Puerto Rico and the Virgin Islands. Months after hurricanes devastated the islands, hundreds, if not thousands, of Americans have died, and far too many people are living without basic necessities that all Americans should have.

I include in the RECORD a letter from Puerto Rico’s Resident Commissioner, JENNIFFER GONZÁLEZ-COLÓN, which requests Medicaid assistance and 100 percent Federal costs for FEMA and Army Corps projects which are not included in the bill.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2017.

Hon. THAD COCHRAN,
Chairman, Appropriations Committee, U.S. Senate, Washington, DC.

Hon. PATRICK J. LEAHY,
Ranking Member, Appropriations Committee, U.S. Senate, Washington, DC.

Hon. RODNEY FRELINGHUYSEN,
Chairman, Appropriations Committee, House of Representatives, Washington, DC.

Hon. NITA M. LOWEY,
Ranking Member, Appropriations Committee, House of Representatives, Washington, DC.

DEAR CHAIRMEN COCHRAN AND FRELINGHUYSEN AND RANKING MEMBERS LEAHY AND LOWEY: I write to draw your attention to several disaster supplemental appropriations matters that are important to Puerto Rico’s recovery from the catastrophic damage caused by Hurricanes Irma and Maria. The revisions I propose to the disaster supplemental legislation that Congress is currently considering are necessary for rebuilding the lives of the 3.4 million U.S. citizens who live on the island.

Regarding any federal funding for Medicaid in Puerto Rico, it is imperative that disaster supplemental legislation provide that for not less than two years Puerto Rico will receive 100% federal funding (FMAP). This funding is necessary because there is no question about Puerto Rico’s looming Medicaid crisis: within the first months of 2018, absent emergency funding, Puerto Rico’s Medicaid program will exhaust its current funds and the island’s Medicaid system will collapse, which will bring to a halt Puerto Rico’s entire healthcare system.

The disaster supplemental legislation must be revised so to statutorily waive for two years Puerto Rico’s state cost share for FEMA Public Assistance. Moreover, the disaster supplemental legislation must be revised so to include a two year waiver of the cost-sharing requirements for all Army Corps of Engineers projects in Puerto Rico.

As you know, the recent hurricanes have destroyed Puerto Rico. The lives of millions of U.S. citizens are now in the federal government’s hands. I look forward to continuing to work with you to move forward the proposals I have outlined in this letter. Together we can rebuild Puerto Rico better than ever and make the island anew. At this moment, the federal government has an op-

portunity to demonstrate America’s commitment to all its citizens, including those who reside in Puerto Rico.

Sincerely,

JENNIFFER GONZÁLEZ-COLÓN,
Member of Congress, PR-At Large.

Mrs. LOWEY. Mr. Speaker, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill—put together after eight public hearings, input from all Governors, all Members of Congress, and all Delegates, especially those who represent Texas, Florida, Louisiana, Puerto Rico, the Virgin Islands, and California—represents a fair and a compassionate treatment of all hurricane and fire victims.

Like the first two emergency supplementals put together by our leadership, our committee, and Congress, we acted within days to help. I ask that we do it again this afternoon without delay. Get this \$81 billion disaster package into the hands of the States, the territories, and the communities that continue to suffer.

Let me associate myself with the remarks of our majority leader. Let’s get the money into those communities that have been suffering. That money is going to the Virgin Islands, it is going to Puerto Rico, and it is going to Florida, Texas, and California. There has been no discrimination at all.

This bill has been put together with the cooperation of all the chairs and ranking members, and it deserves to be acted on promptly. People are suffering. Let’s get the money out the door to help them as we have done in the past on the first two supplementals.

Mr. Speaker, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I rise in support of Division B of this bill, which has bipartisan, bicameral support of the leadership of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate. It includes H.R. 4460, the “Disaster Recovery Reform Act”, and several other Federal Emergency Management Agency (FEMA) bills that passed the House earlier this year.

While there are many good provisions in Division B, I will focus my comments on a few provisions that I believe will have the most impact in making the United States a leader in disaster recovery. Under Division B, the Nation will be on the right track to build stronger and more resilient communities and it will encourage better behavior before and after disaster strikes.

We know that for every dollar invested in mitigation to make our communities stronger before disaster strikes, the taxpayer saves \$3 to \$4 in future disaster costs. Section 2036 of this bill furthers the goal of investing in mitigation before disaster strikes by establishing a steady funding stream for FEMA’s Predisaster Mitigation (PDM) program.

Under Section 2036, the President must provide a specific amount of additional funding from the Disaster Relief Fund for the PDM program. The specific amount of additional

funding is equal to six percent of the estimated amount of disaster assistance provided for each major disaster. The President will then distribute these funds in accordance with existing law, with a certain amount provided to each State and the remainder made available through a competitive grant process.

Section 2036 uses language similar to language in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) authorizing FEMA’s Hazard Mitigation Grant Program (HMGP), which is mandatory funding provided post-disaster with each disaster declaration. Although Section 2036 uses the term “may”, the intent is that FEMA will set aside funds for the PDM program, just as they do for HMGP. We have had several bipartisan conversations with FEMA confirming that FEMA understands the intent of this section and will interpret the “may set-aside” language included in section 2036 as mandatory. The mandatory funding for the PDM program from the Disaster Relief Fund required under this section will provide consistency to a program with a proven record of saving taxpayers money.

In addition, section 2036 authorizes FEMA to withdraw and redistribute funds that remain unobligated three fiscal years after FEMA awarded the funds to the grantee. The intent of this provision is to provide FEMA with discretionary authority to move funding that is not being used to States and projects that will use it. However, FEMA is not required to withdraw these funds from grantees and shall make these decisions on a case-by-case basis. For instance, a grantee may have commenced work on a project or is actively working on a project but the project is not at the point where funds need to be obligated. In this instance, we would not expect FEMA to withdraw the funds.

In addition, while this section will apply to PDM funds awarded prior to enactment of this Division, the intent is to give grantees three fiscal years from the date of enactment of this Act to obligate these funds. Grantees with existing PDM funds are now on notice that they have three years to obligate these funds or at least be actively working on projects that will allow those funds to be obligated shortly thereafter.

I have noted time and time again how nonsensical it is that the Federal Government pays to rebuild communities after a disaster to inadequate standards only to have those facilities destroyed again by a later disaster, with the Federal Government once again on the hook for the cost of rebuilding. Under this legislation, this nonsense will finally stop. Section 2037 requires communities to rebuild to the latest consensus-based, design standards and in a more resilient manner, thereby ensuring stronger, smarter facilities going forward. The cycle of repeatedly rebuilding and repairing disaster-damaged public infrastructure will end under this measure.

Although FEMA must define “resilient” and “resiliency” pursuant to regulations within two years of the date of enactment of this Act, FEMA is required to adopt guidance to immediately implement the “resiliency” requirements of this legislation. The need for resilient construction has become even more apparent after the 2017 disaster season. FEMA must use this opportunity to invest taxpayer funds wisely while saving lives and reducing injuries. FEMA has the ability to ensure that the United

States leads the way in disaster recovery and I urge FEMA to seize this moment.

Accordingly, as FEMA works to develop the definition of “resilient” and “resiliency”, the agency needs to ensure that it takes into account the extent to which the improved facilities:

reduce deaths and injuries during and after a major disaster;

sustain minimal damage allowing the facility to continue to provide the primary function and services of the facility during and after a natural hazard;

prepare for and withstand all hazards that could result in a major disaster; and

reduce the magnitude or duration of a disruption to the facility’s primary function and services to a facility.

In addition, any “resilient” facility should be constructed:

in consideration of current and future environmental conditions based upon the best-available science, changes in demand, and extreme weather events;

to reduce potential disruptions to the facility, including by building in operational redundancies, and increasing the ability of the facility to recover more rapidly; using techniques and materials that have the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event;

to the maximum extent practicable, using durable and sustainable material; and

to incorporate, to the maximum extent practicable, natural and nature-based measures and energy efficiency improvements.

Currently, FEMA provides HMGP funds when a State receives a disaster declaration, but HMGP funds are not provided when a State receives a Fire Management Assistance Grant to respond to wildfires on non-Federal lands. Unfortunately, wildfires destroy the landscape often causing mudslides and flooding that then result in a disaster declaration. Under Division B, States will receive HMGP funds if they have received Fire Management Assistance Grants to respond to wildfires. With HMGP funds, States will be able to restore landscapes and vegetation destroyed by wildfires and make the land less susceptible to future mudslides and floods. This legislation also clarifies that wildfire-related mitigation activities are eligible under both the PDM and HMGP programs. Together, these provisions will help prevent wildfires and related disasters and I commend our colleague from California (Mr. RUIZ) for his leadership on these issues.

Division B also clarifies that earthquake-related activities are eligible for mitigation assistance. The West Coast faces the most risk from multiple and extreme earthquakes, and Oregon is long overdue for an earthquake and tsunami on the Cascadia Subduction Zone. Yet, the United States’ earthquake early warning system lags behind those of other nations. Clarifying for grantees that mitigation funds are available for earthquake-related activities will save lives and reduce injuries in a future disaster.

Finally, important to the State of Oregon, section 2029 clarifies that for purposes of the National Flood Insurance Program (NFIP), FEMA is not responsible for privately funded actions taken by private parties on private land. Under actions proposed by the National Marine Fisheries Service, the entire State of Oregon would become a critical habitat, seriously impeding economic development. The

proposed requirements, are so onerous, the State of Oregon, which already has strict land use regulations, would have difficulty implementing them, as they violate federal and state property rights. This provision will help ensure that FEMA implements the NFIP in a manner that is consistent from state-to-state and does not become a land use regulatory agency.

I support all of these important provisions and urge their adoption.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 670, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings are postponed.

DEPARTMENT OF HOMELAND SECURITY BLUE CAMPAIGN AUTHORIZATION ACT OF 2017

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1370.

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

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 670, I call up the bill (H.R. 1370) to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Homeland Security Blue Campaign Authorization Act of 2017”.

SEC. 2. ENHANCED DEPARTMENT OF HOMELAND SECURITY COORDINATION THROUGH THE BLUE CAMPAIGN.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

“SEC. 434. DEPARTMENT OF HOMELAND SECURITY BLUE CAMPAIGN.

“(a) DEFINITION.—In this section, the term ‘human trafficking’ means an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(b) ESTABLISHMENT.—There is established within the Department a program, which shall be known as the ‘Blue Campaign’. The Blue Campaign shall be headed by a Director, who shall be appointed by the Secretary.

“(c) PURPOSE.—The purpose of the Blue Campaign shall be to unify and coordinate Department efforts to address human trafficking.

“(d) RESPONSIBILITIES.—The Secretary, working through the Director, shall, in accordance with subsection (e)—

“(1) issue Department-wide guidance to appropriate Department personnel;

“(2) develop training programs for such personnel;

“(3) coordinate departmental efforts, including training for such personnel; and

“(4) provide guidance and training on trauma-informed practices to ensure that human trafficking victims are afforded prompt access to victim support service providers, in addition to the government assistance required under section 107 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105), to address their immediate and long-term needs.

“(e) GUIDANCE AND TRAINING.—The Blue Campaign shall provide guidance and training to appropriate Department personnel and other Federal, State, tribal, and law enforcement personnel, as appropriate regarding—

“(1) programs to help identify instances of human trafficking;

“(2) the types of information that should be collected and recorded in information technology systems utilized by the Department to help identify individuals suspected or convicted of human trafficking;

“(3) systematic and routine information sharing within the Department and among Federal, State, tribal, and local law enforcement agencies regarding—

“(A) individuals suspected or convicted of human trafficking; and

“(B) patterns and practices of human trafficking;

“(4) techniques to identify suspected victims of trafficking along the United States border and at airport security checkpoints;

“(5) methods to be used by the Transportation Security Administration and personnel from other appropriate agencies—

“(A) to train employees of the Transportation Security Administration to identify suspected victims of trafficking; and

“(B) to serve as a liaison and resource regarding human trafficking prevention to appropriate State, local, and private sector aviation workers and the traveling public;

“(6) utilizing resources, such as indicator cards, fact sheets, pamphlets, posters, brochures, and radio and television campaigns—

“(A) to educate partners and stakeholders; and

“(B) to increase public awareness of human trafficking;

“(7) leveraging partnerships with State and local governmental, nongovernmental, and private sector organizations to raise public awareness of human trafficking; and

“(8) any other activities the Secretary determines necessary to carry out the Blue Campaign.”.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 (Public Law 107–296) is amended by inserting after the item relating to section 433 the following:

“Sec. 434. Department of Homeland Security Blue Campaign.”.

SEC. 3. INFORMATION TECHNOLOGY SYSTEMS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall ensure, in accordance with the Department of Homeland Security-wide guidance required under section 434(d) of the Homeland Security Act of 2002, as added by section 2, the integration of information technology systems utilized within the Department to record