

1 TITLE V—SUPPLEMENTAL APPROPRIATIONS
2 FOR DISASTER ASSISTANCE

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

3 CONSERVATION PROGRAMS

4 NATURAL RESOURCES CONSERVATION SERVICE

5 EMERGENCY WATERSHED PROTECTION PROGRAM

6 For necessary expenses for the “Emergency Water-
7 shed Protection Program”, \$125,055,000, to remain avail-
8 able until expended, of which \$77,085,000 is for expenses
9 resulting from a major disaster declared pursuant to the
10 Robert T. Stafford Disaster Relief and Emergency Assist-
11 ance Act (42 U.S.C. 5121 et. seq.): *Provided*, That unobli-
12 gated balances for the “Emergency Watershed Protection
13 Program” provided in Public Law 108–199, Public Law
14 109–234, and Public Law 110–28 shall be available for
15 the purposes of such program for disasters, and shall re-
16 main available until expended: *Provided further*, That such
17 amounts are designated by the Congress as being for an
18 emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 DOMESTIC FOOD PROGRAMS

22 FOOD AND NUTRITION SERVICE

23 COMMODITY ASSISTANCE PROGRAM

24 For an additional amount for the emergency food as-
25 sistance program as authorized by section 27(a) of the

1 Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and
2 section 204(a)(1) of the Emergency Food Assistance Act
3 of 1983 (7 U.S.C. 7508(a)(1)), \$15,000,000, to remain
4 available through September 30, 2014: *Provided*, That
5 notwithstanding any other provisions of the Emergency
6 Food Assistance Act of 1983 (the “Act”), the Secretary
7 may allocate additional foods and funds for administrative
8 expenses from resources specifically appropriated, trans-
9 ferred, or reprogrammed to restore to states resources
10 used to assist families and individuals displaced by Hurri-
11 cane Sandy among the states without regard to sections
12 204 and 214 of the Act: *Provided further*, That such
13 amount is designated by the Congress as being for an
14 emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985 (Public Law 99–177), as
17 amended.

18 CHAPTER 2

19 DEPARTMENT OF COMMERCE

20 NATIONAL OCEANIC AND ATMOSPHERIC

21 ADMINISTRATION

22 OPERATIONS, RESEARCH, AND FACILITIES

23 For an additional amount for “Operations, Research,
24 and Facilities”, \$373,000,000 to remain available until
25 September 30, 2014, as follows—

1 (1) \$6,200,000 to repair and replace ocean ob-
2 serving and coastal monitoring assets damaged by
3 Hurricane Sandy;

4 (2) \$10,000,000 to repair and improve weather
5 forecasting capabilities and infrastructure;

6 (3) \$150,000,000 to evaluate, stabilize and re-
7 store coastal ecosystems affected by Hurricane
8 Sandy;

9 (4) \$56,800,000 for mapping, charting, damage
10 assessment, and marine debris coordination and re-
11 mediation; and

12 (5) \$150,000,000, for necessary expenses re-
13 lated to fishery disasters as declared by the Sec-
14 retary of Commerce in calendar year 2012:

15 *Provided*, That the National Oceanic and Atmospheric Ad-
16 ministration shall submit a spending plan to the Commit-
17 tees on Appropriations of the House of Representatives
18 and the Senate within 45 days after the date of enactment
19 of this Act: *Provided further*, That such amount is des-
20 ignated by the Congress as being for an emergency re-
21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

1 PROCUREMENT, ACQUISITION AND CONSTRUCTION

2 For an additional amount for “Procurement, Acquisi-
3 tion and Construction”, \$109,000,000, to remain available
4 until September 30, 2015, as follows—

5 (1) \$47,000,000 for the Coastal and Estuarine
6 Land Conservation Program to support State and
7 local restoration in areas affected by Hurricane
8 Sandy;

9 (2) \$9,000,000 to repair National Oceanic and
10 Atmospheric Administration (NOAA) facilities dam-
11 aged by Hurricane Sandy;

12 (3) \$44,500,000 for repairs and upgrades to
13 NOAA hurricane reconnaissance aircraft; and

14 (4) \$8,500,000 for improvements to weather
15 forecasting equipment and supercomputer infra-
16 structure:

17 *Provided*, That NOAA shall submit a spending plan to the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate within 45 days after the date of
20 enactment of this Act: *Provided further*, That such amount
21 is designated by the Congress as being for an emergency
22 requirement pursuant to section 251(b)(2)(A)(i) of the
23 Balanced Budget and Emergency Deficit Control Act of
24 1985.

1 DEPARTMENT OF JUSTICE

2 GENERAL ADMINISTRATION

3 OFFICE OF INSPECTOR GENERAL

4 For an additional amount for “General Administra-
5 tion, Office of Inspector General” for necessary expenses
6 related to the consequences of Hurricane Sandy, \$20,000,
7 to remain available until September 30, 2013: *Provided*,
8 That such amount is designated by the Congress as being
9 for an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 FEDERAL BUREAU OF INVESTIGATION

13 SALARIES AND EXPENSES

14 For an additional amount for “Federal Bureau of In-
15 vestigation, Salaries and Expenses” for necessary ex-
16 penses related to the consequences of Hurricane Sandy,
17 \$4,000,000, to remain available until September 30, 2013:
18 *Provided*, That such amount is designated by the Congress
19 as being for an emergency requirement pursuant to sec-
20 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
21 gency Deficit Control Act of 1985.

22 DRUG ENFORCEMENT ADMINISTRATION

23 SALARIES AND EXPENSES

24 For an additional amount for “Drug Enforcement
25 Administration, Salaries and Expenses” for necessary ex-

1 penses related to the consequences of Hurricane Sandy,
2 \$1,000,000, to remain available until September 30, 2013:
3 *Provided*, That such amount is designated by the Congress
4 as being for an emergency requirement pursuant to sec-
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985.

7 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
8 EXPLOSIVES
9 SALARIES AND EXPENSES

10 For an additional amount for “Bureau of Alcohol,
11 Tobacco, Firearms and Explosives, Salaries and Ex-
12 penses” for necessary expenses related to the con-
13 sequences of Hurricane Sandy, \$230,000, to remain avail-
14 able until September 30, 2013: *Provided*, That such
15 amount is designated by the Congress as being for an
16 emergency requirement pursuant to section
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 FEDERAL PRISON SYSTEM
20 BUILDINGS AND FACILITIES

21 For an additional amount for “Federal Prison Sys-
22 tem, Buildings and Facilities” for necessary expenses re-
23 lated to the consequences of Hurricane Sandy,
24 \$10,000,000, to remain available until expended: *Pro-*
25 *vided*, That such amount is designated by the Congress

1 as being for an emergency requirement pursuant to sec-
2 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
3 gency Deficit Control Act of 1985.

4 SCIENCE

5 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
6 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND

7 RESTORATION

8 For an additional amount for “Construction and En-
9 vironmental Compliance and Restoration” for repair at
10 National Aeronautics and Space Administration facilities
11 damaged by Hurricane Sandy, \$15,000,000, to remain
12 available until September 30, 2018: *Provided*, That such
13 amount is designated by the Congress as being for an
14 emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 RELATED AGENCIES

18 LEGAL SERVICES CORPORATION

19 PAYMENT TO THE LEGAL SERVICES CORPORATION

20 For an additional amount for “Legal Services Cor-
21 poration, Payment to the Legal Services Corporation” to
22 carry out the purposes of the Legal Services Corporation
23 Act by providing for necessary expenses related to the con-
24 sequences of Hurricane Sandy, \$1,000,000, to remain
25 available until September 30, 2013: *Provided*, That the

1 amount made available under this heading shall be used
2 only to provide the mobile resources, technology, and dis-
3 aster coordinators necessary to provide storm-related serv-
4 ices to the Legal Services Corporation client population
5 and only in the areas significantly affected by Hurricane
6 Sandy: *Provided further*, That such amount is designated
7 by the Congress as being for an emergency requirement
8 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
9 et and Emergency Deficit Control Act of 1985: *Provided*
10 *further*, That none of the funds appropriated in this Act
11 to the Legal Services Corporation shall be expended for
12 any purpose prohibited or limited by, or contrary to any
13 of the provisions of, sections 501, 502, 503, 504, 505, and
14 506 of Public Law 105–119, and all funds appropriated
15 in this Act to the Legal Services Corporation shall be sub-
16 ject to the same terms and conditions set forth in such
17 sections, except that all references in sections 502 and 503
18 to 1997 and 1998 shall be deemed to refer instead to 2012
19 and 2013, respectively, and except that sections 501 and
20 503 of Public Law 104–134 (referenced by Public Law
21 105–119) shall not apply to the amount made available
22 under this heading.

1 September 30, 2013, for necessary expenses related to the
2 consequences of Hurricane Sandy: *Provided*, That such
3 amount is designated by the Congress as being for an
4 emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7 OPERATION AND MAINTENANCE, ARMY NATIONAL
8 GUARD

9 For an additional amount for “Operation and Main-
10 tenance, Army National Guard”, \$3,165,000, to remain
11 available until September 30, 2013, for necessary expenses
12 related to the consequences of Hurricane Sandy: *Provided*,
13 That such amount is designated by the Congress as being
14 for an emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

18 For an additional amount for “Operation and Main-
19 tenance, Air National Guard”, \$5,775,000, to remain
20 available until September 30, 2013, for necessary expenses
21 related to the consequences of Hurricane Sandy: *Provided*,
22 That such amount is designated by the Congress as being
23 for an emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 Corps of Engineers and impacted by Hurricane Sandy for
2 the purposes of determining their effectiveness and mak-
3 ing recommendations for improvements thereto: *Provided*
4 *further*, That as a part of the study, the Secretary shall
5 identify institutional and other barriers to providing com-
6 prehensive protection to affected coastal areas and shall
7 provide this report to the Committees on Appropriations
8 of the House of Representatives and the Senate within
9 120 days of enactment of this Act: *Provided further*, That
10 the amounts in this paragraph are designated by the Con-
11 gress as being for an emergency requirement pursuant to
12 section 251(b)(2)(A)(i) of the Balanced Budget and
13 Emergency Deficit Control Act of 1985: *Provided further*,
14 That the Assistant Secretary of the Army for Civil Works
15 shall provide a monthly report to the Committees on Ap-
16 propriations of the House of Representatives and the Sen-
17 ate detailing the allocation and obligation of these funds,
18 beginning not later than 60 days after enactment of this
19 Act.

20 CONSTRUCTION

21 (INCLUDING TRANSFER OF FUNDS)

22 For an additional amount for “Construction” to re-
23 habilitate, repair and construct U.S. Army Corps of Engi-
24 neers projects related to the consequences of natural disas-
25 ters, \$3,461,000,000, to remain available until expended:

1 *Provided*, That \$2,902,000,000 of the funds provided
2 under this heading shall be used to reduce future flood
3 risk in ways that will support the long-term sustainability
4 of the coastal ecosystem and communities and reduce the
5 economic costs and risks associated with large-scale flood
6 and storm events in areas along the Atlantic Coast within
7 the boundaries of the North Atlantic Division of the Corps
8 that was affected by Hurricane Sandy: *Provided further*,
9 That efforts using these funds shall incorporate current
10 science and engineering standards in constructing pre-
11 viously authorized Corps projects designed to reduce flood
12 and storm damage risks and modifying existing Corps
13 projects that do not meet these standards, with such modi-
14 fications as the Secretary determines are necessary to in-
15 corporate these standards or to meet the goal of providing
16 sustainable reduction to flooding and storm damage risks:
17 *Provided further*, That any project that is under study by
18 the Corps for reducing flooding and storm damage risks
19 and that the Corps studies demonstrate will cost-effec-
20 tively reduce those risks is hereby authorized: *Provided*
21 *further*, That local interests shall provide all lands, ease-
22 ments, rights-of-way, relocations and disposal areas
23 (LERRDs) necessary for projects using these funds at no
24 cost to the Government: *Provided further*, That cost shar-
25 ing for implementation of any projects using these funds

1 shall be 90 percent Federal and 10 percent non-Federal
2 exclusive of LERRDs: *Provided further*, That the non-
3 Federal cash contribution for projects using these funds
4 shall be financed in accordance with the provisions of sec-
5 tion 103(k) of Public Law 99–662 over a period of 30
6 years from the date of completion of the project or sepa-
7 rable element: *Provided further*, That for these projects,
8 the provisions of section 902 of the Water Resources De-
9 velopment Act of 1986 shall not apply to these funds: *Pro-*
10 *vided further*, That the Secretary may transfer up to
11 \$499,000,000 of the funds provided under this heading
12 to other U.S. Army Corps of Engineers Accounts to ad-
13 dress damages from previous natural disasters following
14 normal policies and cost sharing: *Provided further*, That
15 the Committees on Appropriations of the House of Rep-
16 resentatives and the Senate shall be notified at least 15
17 days in advance of any such transfer: *Provided further*,
18 That up to \$51,000,000 of the funds provided under this
19 heading shall be used to expedite continuing authorities
20 projects along the coastal areas in States impacted by
21 Hurricane Sandy within the boundaries of the North At-
22 lantic Division: *Provided further*, That \$9,000,000 of the
23 funds provided under this heading shall be used for repairs
24 to projects that were under construction and damaged by
25 the impacts of Hurricane Sandy: *Provided further*, That

1 any projects using funds appropriated under this heading
2 shall be initiated only after non-Federal interests have en-
3 tered into binding agreements with the Secretary requiring
4 the non-Federal interests to pay 100 percent of the oper-
5 ation, maintenance, repair, replacement, and rehabilita-
6 tion costs of the project and to hold and save the United
7 States free from damages due to the construction or oper-
8 ation and maintenance of the project, except for damages
9 due to the fault or negligence of the United States or its
10 contractors: *Provided further*, That the amounts in this
11 paragraph are designated by the Congress as being for
12 an emergency requirement pursuant section
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985: *Provided further*, That the
15 Assistant Secretary of the Army for Civil Works shall sub-
16 mit to the Committees on Appropriations of the House
17 of Representatives and the Senate a monthly report detail-
18 ing the allocation and obligation of these funds, beginning
19 not later than 60 days after the date of the enactment
20 of this Act.

21 OPERATION AND MAINTENANCE

22 For an additional amount for “Operation and Main-
23 tenance”, \$821,000,000, to remain available until ex-
24 pended to dredge Federal navigation channels and repair
25 damage to Corps projects nationwide related to natural

1 disasters: *Provided*, That such amount is designated by
2 the Congress as being for an emergency requirement pur-
3 suant section 251(b)(2)(A)(i) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985: *Provided further*,
5 That the Assistant Secretary of the Army for Civil Works
6 shall provide a monthly report to the Committees on Ap-
7 propriations of the House of Representatives and the Sen-
8 ate detailing the allocation and obligation of these funds,
9 beginning not later than 60 days after enactment of this
10 Act.

11 FLOOD CONTROL AND COASTAL EMERGENCIES

12 For an additional amount for “Flood Control and
13 Coastal Emergencies”, \$1,008,000,000, to remain avail-
14 able until expended to prepare for flood, hurricane, and
15 other natural disasters and support emergency operations,
16 repairs and other activities in response to flood, hurricanes
17 or other natural disasters as authorized by law: *Provided*,
18 That \$430,000,000 of the funds provided herein shall be
19 utilized by the Corps to restore projects impacted by Hur-
20 ricane Sandy in the North Atlantic Division of the U.S.
21 Army Corps of Engineers to design profiles of the author-
22 ized projects: *Provided further*, That the provisions of sec-
23 tion 902 of the Water Resources Development Act of 1986
24 shall not apply to funds provided under this heading: *Pro-*
25 *vided further*, That the amounts in this paragraph are des-

1 igned by the Congress as being for an emergency re-
2 quirement pursuant section 251(b)(2)(A)(i) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985:
4 *Provided further*, That the Assistant Secretary of the
5 Army for Civil Works shall provide a monthly report to
6 the Committees on Appropriations of the House of Rep-
7 resentatives and the Senate detailing the allocation and
8 obligation of these funds, beginning not later than 60 days
9 after enactment of this Act.

10

EXPENSES

11 For an additional amount for “Expenses” for in-
12 creased efforts to oversee emergency response and recov-
13 ery activities related to natural disasters, \$10,000,000, to
14 remain available until expended: *Provided*, That such
15 amount is designated by the Congress as being for an
16 emergency requirement pursuant section 251(b)(2)(A)(i)
17 of the Balanced Budget and Emergency Deficit Control
18 Act of 1985: *Provided further*, That the Assistant Sec-
19 retary of the Army for Civil Works shall provide a monthly
20 report to the Committees on Appropriations of the House
21 of Representatives and the Senate detailing the allocation
22 and obligation of these funds, beginning not later than 60
23 days after enactment of this Act.

1 from Hurricane Sandy; and of which \$20,000,000 is for
2 grants or cooperative agreements for public-private part-
3 nerships to provide long-term economic development as-
4 sistance to industries and/or regions affected by Hurricane
5 Sandy through economic development initiatives, including
6 innovation clusters, industry accelerators, supply-chain
7 support, commercialization, and workforce development:
8 *Provided*, That the Small Business Administration (SBA)
9 shall expedite the delivery of assistance in disaster-af-
10 fected areas by awarding grants or cooperative agreements
11 for technical assistance only to current recipients of SBA
12 grants or cooperative agreements using a streamlined ap-
13 plication process that relies, to the maximum extent prac-
14 ticable, upon previously submitted documentation: *Pro-*
15 *vided further*, That the Administrator of the Small Busi-
16 ness Administration shall waive the matching require-
17 ments under section 21(a)(4)(A) and 29(c) of the Small
18 Business Act for any grant made using funds made avail-
19 able under this heading: *Provided further*, That in design-
20 ing appropriate economic development initiatives and iden-
21 tifying those regions and industries most affected by Hur-
22 ricane Sandy, the SBA shall work with other Federal
23 agencies, State and local economic development entities,
24 institutions of higher learning, and private sector part-
25 ners: *Provided further*, That grants or cooperative agree-

1 ments for public-private partnerships may be awarded to
2 public or private nonprofit organizations, or any combina-
3 tion thereof: *Provided further*, That no later than 30 days
4 after the date of enactment of this Act, or no less than
5 7 days prior to obligation of funds, whichever occurs ear-
6 lier, the SBA shall submit to the Committees on Appro-
7 priations of the House of Representatives and the Senate
8 a detailed expenditure plan for funds provided under this
9 heading: *Provided further*, That such amounts are des-
10 ignated by the Congress as being for an emergency re-
11 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985.

13 OFFICE OF INSPECTOR GENERAL

14 For an additional amount for “Office of Inspector
15 General” for necessary expenses related to the con-
16 sequences of Hurricane Sandy and other disasters,
17 \$5,000,000, to remain available until expended: *Provided*,
18 That such amount is designated by the Congress as being
19 for an emergency requirement pursuant to section
20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 DISASTER LOANS PROGRAM ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For an additional amount for “Disaster Loans Pro-
25 gram Account” for the cost of direct loans authorized by

1 section 7(b) of the Small Business Act, for necessary ex-
2 penses related to Hurricane Sandy and other disasters,
3 \$500,000,000, to remain available until expended: *Pro-*
4 *vided*, That such costs, including the cost of modifying
5 such loans, shall be as defined in section 502 of the Con-
6 gressional Budget Act of 1974: *Provided further*, That in
7 addition, for administrative expenses to carry out the di-
8 rect loan program authorized by section 7(b) of the Small
9 Business Act in response to Hurricane Sandy and other
10 disasters, \$260,000,000, to remain available until ex-
11 pended, of which \$250,000,000 is for direct administrative
12 expenses of loan making and servicing to carry out the
13 direct loan program, which may be transferred to and
14 merged with the appropriations for Salaries and Expenses;
15 and of which \$10,000,000 is for indirect administrative
16 expenses for the direct loan program, which may be trans-
17 ferred to and merged with the appropriations for Salaries
18 and Expenses: *Provided further*, That such amounts are
19 designated by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 GENERAL PROVISIONS—THIS CHAPTER

23 SEC. 5501. Section 411(a)(1) of the Small Business
24 Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amend-
25 ed by striking “\$2,000,000” and inserting “\$5,000,000”.

1 SEC. 5502. Section 7(d)(6) of the Small Business Act
2 (15 U.S.C. 636(d)(6)) is amended by inserting after
3 “which are made under paragraph (1) of subsection (b)”
4 the following: “: *Provided further*, That the Administrator,
5 in obtaining the best available collateral for a loan of not
6 more than \$200,000 under paragraph (1) or (2) of sub-
7 section (b) relating to damage to or destruction of the
8 property of, or economic injury to, a small business con-
9 cern, shall not require the owner of the small business con-
10 cern to use the primary residence of the owner as collat-
11 eral if the Administrator determines that the owner has
12 other assets with a value equal to or greater than the
13 amount of the loan that could be used as collateral for
14 the loan: *Provided further*, That nothing in the preceding
15 proviso may be construed to reduce the amount of collat-
16 eral required by the Administrator in connection with a
17 loan described in the preceding proviso or to modify the
18 standards used to evaluate the quality (rather than the
19 type) of such collateral”.

20

CHAPTER 6

21

DEPARTMENT OF HOMELAND SECURITY

22

U.S. CUSTOMS AND BORDER PROTECTION

23

SALARIES AND EXPENSES

24

For an additional amount for “Salaries and Ex-

25

penses” for necessary expenses related to the con-

1 sequences of Hurricane Sandy, \$1,667,000: *Provided*,
2 That such amount is designated by the Congress as being
3 for an emergency requirement pursuant to section
4 251(b)(2)(A)(i) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985: *Provided further*, That a de-
6 scription of all property to be replaced, with associated
7 costs, shall be submitted to the Committees on Appropria-
8 tions of the Senate and the House of Representatives no
9 later than 90 days after the date of enactment of this Act.

10 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

11 SALARIES AND EXPENSES

12 For an additional amount for “Salaries and Ex-
13 penses” for necessary expenses related to the con-
14 sequences of Hurricane Sandy, \$855,000: *Provided*, That
15 such amount is designated by the Congress as being for
16 an emergency requirement pursuant to section
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985: *Provided further*, That a de-
19 scription of all property to be replaced, with associated
20 costs, shall be submitted to the Committees on Appropria-
21 tions of the Senate and the House of Representatives no
22 later than 90 days after the date of enactment of this Act.

1 COAST GUARD
2 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for “Acquisition, Construc-
5 tion, and Improvements” for necessary expenses related
6 to the consequences of Hurricane Sandy, \$274,233,000,
7 to remain available until September 30, 2017: *Provided*,
8 That such amount is designated by the Congress as being
9 for an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided further*, That not-
12 withstanding the transfer limitation contained in section
13 503 of division D of Public Law 112–74, such funding
14 may be transferred to other Coast Guard appropriations
15 after notification as required in accordance with such sec-
16 tion: *Provided further*, That a description all facilities and
17 property to be reconstructed and restored, with associated
18 costs and time lines, shall be submitted to the Committees
19 on Appropriations of the Senate and the House of Rep-
20 resentatives no later than 90 days after the date of enact-
21 ment of this Act.

22 UNITED STATES SECRET SERVICE
23 SALARIES AND EXPENSES

24 For an additional amount for “Salaries and Ex-
25 penses” for necessary expenses related to the con-

1 sequences of Hurricane Sandy, \$300,000: *Provided*, That
2 such amount is designated by the Congress as being for
3 an emergency requirement pursuant to section
4 251(b)(2)(A)(i) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985: *Provided further*, That a de-
6 scription of all property to be replaced, with associated
7 costs, shall be submitted to the Committees on Appropria-
8 tions of the Senate and the House of Representatives no
9 later than 90 days after the date of enactment of this Act.

10 FEDERAL EMERGENCY MANAGEMENT AGENCY

11 DISASTER RELIEF FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for the “Disaster Relief
14 Fund” in carrying out the Robert T. Stafford Disaster
15 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
16 seq.), \$11,487,735,000, to remain available until ex-
17 pended: *Provided*, That of the total amount provided,
18 \$5,379,000,000 shall be for major disasters declared pur-
19 suant to the Robert T. Stafford Disaster Relief and Emer-
20 gency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*
21 *further*, That the amount in the previous proviso is des-
22 ignated by the Congress as being for disaster relief pursu-
23 ant to section 251(b)(2)(D) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985: *Provided further*,
25 That of the total amount provided, \$6,108,735,000 is des-

1 ignited by the Congress as being for an emergency re-
2 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985
4 which shall be for major disasters declared pursuant to
5 the Robert T. Stafford Disaster Relief and Emergency As-
6 sistance Act (42 U.S.C. 5121 et seq.): *Provided further*,
7 That of the total amount provided, \$3,000,000 shall be
8 transferred to the Department of Homeland Security “Of-
9 fice of Inspector General” for audits and investigations re-
10 lated to disasters.

11 DISASTER ASSISTANCE DIRECT LOAN PROGRAM

12 ACCOUNT

13 For an additional amount for the cost of direct loans,
14 \$300,000,000, to remain available until expended, as au-
15 thorized by section 417 of the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C. 5184),
17 of which up to \$4,000,000 is for administrative expenses
18 to carry out the direct loan program: *Provided*, That such
19 costs, including the cost of modifying such loans, shall be
20 as defined in section 502 of the Congressional Budget Act
21 of 1974: *Provided further*, That these funds are available
22 to subsidize gross obligations for the principal amount of
23 direct loans not to exceed \$400,000,000: *Provided further*,
24 That these amounts are designated by the Congress as
25 an emergency requirement pursuant to section

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

3 SCIENCE AND TECHNOLOGY
4 RESEARCH, DEVELOPMENT, ACQUISITION, AND
5 OPERATIONS

6 For an additional amount for “Research, Develop-
7 ment, Acquisition, and Operations” for necessary expenses
8 related to the consequences of Hurricane Sandy,
9 \$3,249,000, to remain available until September 30, 2017:
10 *Provided*, That such amount is designated by the Congress
11 as being for an emergency requirement pursuant to sec-
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985.

14 DOMESTIC NUCLEAR DETECTION OFFICE
15 SYSTEMS ACQUISITION

16 For an additional amount for “Systems Acquisition”
17 for necessary expenses related to the consequences of Hur-
18 ricane Sandy for replacing or repairing U.S. Customs and
19 Border Protection equipment, \$3,869,000, to remain
20 available until September 30, 2015: *Provided*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 GENERAL PROVISIONS—THIS CHAPTER

2 SEC. 5601. (a) Section 1309(a) of the National Flood
3 Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended
4 by striking “\$20,725,000,000” and inserting
5 “\$30,425,000,000”.

6 (b) The amount provided by this section is designated
7 by the Congress as an emergency requirement pursuant
8 to section 251(b)(2)(A)(i) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985 and as an emer-
10 gency requirement pursuant to section 4(g) of the Statu-
11 tory Pay-As-You-Go Act of 2010.

12 (c) EFFECTIVE DATE.—The amendment made by
13 subsection (a) shall be considered to have taken effect on
14 December 12, 2012.

15 SEC. 5602. The Administrator of the Federal Emer-
16 gency Management Agency, in cooperation with represent-
17 atives of State, tribal, and local governments may give
18 greater weight to the factors considered under section
19 206.48(b)(3) of title 44, Code of Federal Regulations, to
20 accurately measure the acute needs of a population fol-
21 lowing a disaster in order to expedite a declaration of Indi-
22 vidual Assistance under the Robert T. Stafford Disaster
23 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
24 seq.).

1 SEC. 5603. For determinations regarding compliance
2 with codes and standards under the Federal Emergency
3 Management Agency Public Assistance program (42
4 U.S.C. 5172), the Administrator of the Federal Emer-
5 gency Management Agency, for major disasters declared
6 on or after August 27, 2011, shall consider eligible the
7 costs required to comply with a State's Stream Alteration
8 General Permit process, including any design standards
9 required to be met as a condition of permit issuance.

10 SEC. 5604. Notwithstanding any other provision of
11 law, the Administrator of the Federal Emergency Manage-
12 ment may recommend to the President an increase in the
13 Federal cost share of the eligible cost of permanent work
14 under section 406 and of emergency work under section
15 403 and section 407 of the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C. 5172)
17 for damages resulting from Hurricane Sandy without
18 delay.

19 SEC. 5605. For any major disaster declared between
20 August 27, 2011, and December 5, 2012, and any subse-
21 quent major disaster declaration resulting from Hurricane
22 Sandy or Tropical Storm Sandy of 2012, the Adminis-
23 trator of the Federal Emergency Management Agency
24 shall establish a Pilot Program for the Relocation of State
25 Facilities, under which the Administrator may fund under

1 section 406 of the Robert T. Stafford Disaster Relief and
2 Emergency Assistance Act (42 U.S.C. 5172), the perma-
3 nent relocation of significantly disaster damaged State fa-
4 cilities subject to flood risk, including administrative office
5 buildings, medical facilities, laboratories, and related oper-
6 ating infrastructure (heat, sewage, mechanical, electrical,
7 and plumbing), that are otherwise eligible for repair, res-
8 toration, reconstruction, or replacement under section 406
9 of that Act, if the Administrator determines that such re-
10 location is practicable, and will be cost effective or more
11 appropriate than repairing, restoring, reconstructing, or
12 replacing the facility in its pre-disaster location, and if
13 such relocation will effectively mitigate the flood risk to
14 the facility. The Administrator may waive such regulations
15 as the Administrator determines necessary to carry out
16 the Pilot Program established under this section.

17 SEC. 5606. Notwithstanding any other provision of
18 law, the Administrator of the Federal Emergency Manage-
19 ment Agency shall approve the construction of a perma-
20 nent flood risk reduction levee by a State, local, or tribal
21 government participating in the National Flood Insurance
22 Program on land acquired under section 404(b) of the
23 Robert T. Stafford Disaster Relief and Emergency Assist-
24 ance Act (42 U.S.C. 5170c(b)) before, on or after the date
25 of enactment of this Act and in a Midwest state that re-

1 ceived a Major Disaster Declaration for flooding in 2011
2 if the Administrator and the Chief of Engineers deter-
3 mines that such levee—

4 (1) would more effectively mitigate against
5 flooding;

6 (2) be in compliance with Federal, State, and
7 local requirements; and

8 (3) be maintained under an adequate State,
9 local, or tribal government plan that documents the
10 procedures to be used to ensure that the stability,
11 height, and overall integrity of the proposed levee
12 and the structure and systems of the proposed levee
13 are maintained, including detailing the plan for fi-
14 nancing the maintenance of the levee, and shall sub-
15 mit an annual certification of compliance to the Ad-
16 ministrator and the Chief of Engineers.

17 SEC. 5607. The Administrator of the Federal Emer-
18 gency Management Agency shall cancel the liquidated bal-
19 ances of all remaining uncanceled or partially canceled
20 loans disbursed under the Community Disaster Loan Act
21 of 2005 (Public Law 109–88) and the Emergency Supple-
22 mental Appropriations Act for Defense, the Global War
23 on Terror, and Hurricane Recovery, 2006 (Public Law
24 109–234), as amended by section 4502 of the U.S. Troop
25 Readiness, Veterans’ Care, Katrina Recovery, and Iraq

1 Accountability Appropriations Act, 2007 (Public Law
2 110–28) to the extent that revenues of the local govern-
3 ment during the period following the major disaster are
4 insufficient to meet the budget of the local government,
5 including additional disaster-related expenses of a munic-
6 ipal character. In calculating a community’s revenues
7 while determining cancellation, the Administrator shall ex-
8 clude revenues for special districts and any other revenues
9 that are required by law to be disbursed to other units
10 of local government or used for specific purposes more lim-
11 ited than the scope allowed by the General Fund. In calcu-
12 lating a community’s expenses, the Administrator shall in-
13 clude disaster-related capital expenses for which the com-
14 munity has not been reimbursed by Federal or insurance
15 proceeds, debt service expenses, and accrued but unpaid
16 uncompensated absences (vacation and sick pay). In calcu-
17 lating the operating deficit of the local government, the
18 Administrator shall also consider all interfund transfers.
19 When considering the period following the disaster, the
20 Administrator may consider a period of 3, 5, or 7 full fis-
21 cal years after the disaster, beginning on the date of the
22 declaration, in determining eligibility for cancellation. The
23 criteria for cancellation do not apply to those loans already
24 cancelled in full. Applicants shall submit supplemental
25 documentation in support of their applications for can-

1 cellation on or before April 30, 2014, and the Adminis-
2 trator shall issue determinations and resolve any appeals
3 on or before April 30, 2015. Loans not cancelled in full
4 shall be repaid not later than September 30, 2035. The
5 Administrator may use funds provided under Public Law
6 109–88 to reimburse those communities that have repaid
7 all or a portion of loans, including interest, provided as
8 Special Community Disaster Loans under Public Law
9 109–88 or Public Law 109–234, as amended by section
10 4502 of Public Law 110–28. Further, the Administrator
11 may use funds provided under Public Law 109–88 for nec-
12 essary expenses to carry out this provision: *Provided*, That
13 the entire amount is designated by the Congress as an
14 emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 SEC. 5608. The Inspector General shall review the
18 applications for public assistance provided through the
19 Disaster Relief Fund with a project cost that exceeds
20 \$10,000,000 and the resulting decisions issued by the
21 Federal Emergency Management Agency for category A
22 debris removal for DR–1786 upon receipt of a request
23 from an applicant made no earlier than 90 days after fil-
24 ing an appeal with the Federal Emergency Management
25 Agency without regard to whether the Administrator of

1 the Federal Emergency Management Agency has issued
2 a final agency determination on the application for assist-
3 ance: *Provided*, That not later than 180 days after the
4 date of such request, the Inspector General shall deter-
5 mine whether the Federal Emergency Management Agen-
6 cy correctly applied its rules and regulations to determine
7 eligibility of the applicant’s claim: *Provided further*, That
8 if the Inspector General finds that the Federal Emergency
9 Management Agency determinations related to eligibility
10 and cost involved a misapplication of its rules and regula-
11 tions, the applicant may submit the dispute to the arbitra-
12 tion process established under the authority granted under
13 section 601 of Public Law 111–5 not later than 15 days
14 after the date of issuance of the Inspector General’s find-
15 ing in the previous proviso: *Provided further*, That if the
16 Inspector General finds that the Federal Emergency Man-
17 agement Agency provided unauthorized funding, that the
18 Federal Emergency Management Agency shall take cor-
19 rective action.

20 DISASTER RECOVERY

21 SEC. 5609. (a) SHORT TITLE.—This section may be
22 cited as the “Disaster Recovery Act of 2012”.

23 (b) HAZARD MITIGATION.—

24 (1) IN GENERAL.—Section 404 of the Robert T.
25 Stafford Disaster Relief and Emergency Assistance

1 Act (42 U.S.C. 5170c) is amended by adding at the
2 end the following:

3 “(d) STREAMLINED PROCEDURES.—For purposes of
4 providing assistance under this section, the President may
5 establish streamlined procedures, including procedures for
6 consideration of multiple structures as a group and for
7 an analysis of the environmental impacts, impacts to his-
8 toric properties, cost-effectiveness, and fulfillment of cost-
9 share requirements for proposed hazard mitigation meas-
10 ures.

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

16 (2) ESTABLISHMENT OF CRITERIA RELATING
17 TO ADMINISTRATION OF HAZARD MITIGATION AS-
18 SISTANCE BY STATES.—Section 404(c)(2) of the
19 Robert T. Stafford Disaster Relief and Emergency
20 Assistance Act (42 U.S.C. 5170c(e)(2)) is amended
21 by inserting “Until such time as the Administrator
22 promulgates regulations to implement this para-
23 graph, the Administrator may waive notice and com-
24 ment rulemaking if the Administrator determines
25 doing so is necessary to expeditiously implement this

1 section and may carry out the alternative procedures
2 under this section as a pilot program” after “appli-
3 cations submitted under paragraph (1).”.

4 (3) APPLICABILITY.—The authority under the
5 amendments made by this subsection shall apply
6 for—

7 (A) any major disaster or emergency de-
8 clared under the Robert T. Stafford Disaster
9 Relief and Emergency Assistance Act (42
10 U.S.C. 5121 et seq.) on or after the date of en-
11 actment of this Act; and

12 (B) a major disaster or emergency de-
13 clared before the date of enactment of this Act
14 for which the period for processing requests for
15 assistance has not ended on the date of enact-
16 ment of this Act.

17 (c) PUBLIC ASSISTANCE PROGRAM ALTERNATIVE
18 PROCEDURES.—Title IV of the Robert T. Stafford Dis-
19 aster Relief and Emergency Assistance Act (42 U.S.C.
20 5170 et seq.) is amended—

21 (1) by redesignating section 425 (42 U.S.C.
22 5189e) relating to essential service providers, as
23 added by section 607 of the SAFE Port Act (Public
24 Law 109–347; 120 Stat. 1941) as section 427; and

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

1 **“SEC. 428. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE**
2 **PROCEDURES.**

3 “(a) IN GENERAL.—The Administrator of the Fed-
4 eral Emergency Management Agency may approve
5 projects under the alternative procedures adopted under
6 this section for—

7 “(1) any major disaster or emergency declared
8 on or after the date of enactment of this section;
9 and

10 “(2) any project relating to a major disaster or
11 emergency declared before the date of enactment of
12 this section for which construction has not begun on
13 the date of enactment of this section.

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

19 “(c) GOALS.—Any procedures adopted under sub-
20 section (b) shall further the goals of—

21 “(1) reducing the costs to the Federal Govern-
22 ment of providing such assistance;

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

1 “(3) expediting the provision of such assistance
2 to States, tribal, and local governments and to own-
3 ers or operators of private nonprofit facilities; and

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

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

14 “(e) REQUIREMENTS FOR PROCEDURES.—The alter-
15 native procedures adopted under subsection (b) shall in-
16 clude—

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

19 “(A) making grants on the basis of fixed
20 estimates, if the State, tribal, or local govern-
21 ment, or owner or operator of the private non-
22 profit facility agrees to be responsible for any
23 actual costs that exceed the estimate;

24 “(B) providing an option for a State, trib-
25 al, or local government, or owner or operator of

1 a private nonprofit facility to elect to receive an
2 in-lieu contribution, without reduction, on the
3 basis of estimates of—

4 “(i) the cost of repair, restoration, re-
5 construction, or replacement of a public fa-
6 cility owned or controlled by the State,
7 tribal, or local government or the owner or
8 operator of a private nonprofit facility; and

9 “(ii) management expenses;

10 “(C) consolidating, to the extent deter-
11 mined appropriate by the Administrator, the fa-
12 cilities of a State, tribal, or local government, or
13 owner or operator of a private nonprofit facility
14 as a single project based upon the estimates
15 adopted under the procedures;

16 “(D) if the actual costs of a project com-
17 pleted under the procedures are less than the
18 estimated costs thereof, the Administrator may
19 permit a grantee or subgrantee to use all or
20 part of the excess funds for purposes of—

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

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

1 “(E) in determining eligible cost under sec-
2 tion 406, the Administrator shall make avail-
3 able, at an applicant’s request and where the
4 Federal Emergency Management Agency or the
5 certified cost estimate prepared by the appli-
6 cant’s professionally licensed engineers has esti-
7 mated an eligible Federal share for a project of
8 not less than \$5,000,000, an independent ex-
9 pert panel to validate the estimated eligible cost
10 consistent with applicable regulations and poli-
11 cies implementing this section;

12 “(F) in determining eligible cost under sec-
13 tion 406, the Administrator shall, at the appli-
14 cant’s request, consider properly conducted and
15 certified cost estimates prepared by profes-
16 sionally licensed engineers (mutually agreed
17 upon by the Administrator and the applicant),
18 to the extent that such estimates comply with
19 applicable regulation, policy, and guidance; and

20 “(2) for debris removal under sections
21 403(a)(3)(A), 407, and 502(a)(5)—

22 “(A) making grants on the basis of fixed
23 estimates to provide financial incentives and
24 disincentives for the timely or cost effective
25 completion if the State, tribal, or local govern-

1 ment, or owner or operator of the private non-
2 profit facility agrees to be responsible to pay for
3 any actual costs that exceed the estimate;

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

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

11 “(D) reimbursing base and overtime wages
12 for employees and extra hires of a State, tribal,
13 or local government, or owner or operator of a
14 private nonprofit facility performing or admin-
15 istering debris and wreckage removal;

16 “(E) providing incentives to State, tribal,
17 and local governments to have a debris manage-
18 ment plan approved by the Federal Emergency
19 Management Agency and have pre-qualified one
20 or more debris and wreckage removal contrac-
21 tors before the date of declaration of the major
22 disaster; and

23 “(F) if the actual costs of projects under
24 subparagraph (A) are less than the estimated
25 costs of the project, the Administrator may per-

1 mit a grantee or subgrantee to use all or part
2 of the excess funds for—

3 “(i) debris management planning;

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

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

9 “(f) WAIVER AUTHORITY.—Until such time as the
10 Administrator promulgates regulations to implement this
11 section, the Administrator may waive such regulations or
12 rules as the Administrator determines are necessary to
13 carry out the alternative procedures under this section as
14 a pilot program.

15 “(g) REIMBURSEMENT.—The guidelines for reim-
16 bursement for costs under subsection (e)(2)(D) shall as-
17 sure that no State, tribal, or local government is denied
18 reimbursement for overtime payments that are required
19 pursuant to the Fair Labor Standards Act of 1938 (29
20 U.S.C. 201 et seq.).”.

21 (d) SIMPLIFIED PROCEDURES.—Section 422 of the
22 Robert T. Stafford Disaster Relief and Emergency Assist-
23 ance Act (42 U.S.C. 5189) is amended—

24 (1) by striking “If the Federal estimate” and
25 inserting the following:

1 “(a) IN GENERAL.—If the Federal estimate”;

2 (2) by inserting “or, if the Administrator has
3 established a threshold under subsection (b), the
4 amount established under subsection (b)” after
5 “\$35,000” the first place it appears;

6 (3) by inserting “or, if applicable, the amount
7 established under subsection (b),” after “\$35,000
8 amount”; and

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

10 “(b) THRESHOLD.—

11 “(1) REPORT.—Not later than 1 year after the
12 date of enactment of the Disaster Recovery Act of
13 2012, the President, acting through the Adminis-
14 trator of the Federal Emergency Management Agen-
15 cy (in this section referred to as the ‘Adminis-
16 trator’), shall—

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

23 “(B) submit to the appropriate committees
24 of the Congress (as defined in section 602 of
25 the Post-Katrina Emergency Management Re-

1 form Act of 2006 (6 U.S.C. 701)) a report re-
2 garding the analysis conducted under subpara-
3 graph (A).

4 “(2) AMOUNT.—After the Administrator sub-
5 mits the report required under paragraph (1), the
6 President shall direct the Administrator to—

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

11 “(B) adjust the threshold annually to re-
12 flect changes in the Consumer Price Index for
13 all Urban Consumers published by the Depart-
14 ment of Labor.

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

21 (e) ESSENTIAL ASSISTANCE.—Section 403 of the
22 Robert T. Stafford Disaster Relief and Emergency Assist-
23 ance Act (42 U.S.C. 5170b) is amended by adding at the
24 end the following:

25 “(d) SALARIES AND BENEFITS.—

1 “(1) IN GENERAL.—The President may reim-
2 burse a State, tribal, or local government for costs
3 relating to pay and benefits (including overtime and
4 hazardous duty pay) for permanent employees of the
5 State, tribal, or local government conducting emer-
6 gency protective measures under this section, pro-
7 vided such work is not typically performed by such
8 employees and the type of work may otherwise be
9 carried out by contract or agreement with private or-
10 ganizations, firms, or individuals.

11 “(2) OVERTIME.—The guidelines for reimburse-
12 ment for costs under paragraph (1) shall assure that
13 no State, tribal, or local government is denied reim-
14 bursement for overtime payments that are required
15 pursuant to the Fair Labor Standards Act of 1938
16 (29 U.S.C. 201 et seq.).”.

17 (f) UNIFIED FEDERAL REVIEW.—Title IV of the
18 Robert T. Stafford Disaster Relief and Emergency Assist-
19 ance Act, as amended by subsection (c), is amended by
20 adding at the end the following:

21 **“SEC. 429. UNIFIED FEDERAL REVIEW.**

22 “(a) IN GENERAL.—Not later than 18 months after
23 the date of enactment of the Disaster Recovery Act of
24 2012, and in consultation with the Council on Environ-
25 mental Quality and the Advisory Council on Historic Pres-

1 ervation, the President shall establish an expedited and
2 unified interagency review process to ensure compliance
3 with environmental and historic requirements under Fed-
4 eral law relating to disaster recovery projects, in order to
5 expedite the recovery process.

6 “(b) CONTENTS.—The review process established
7 under this section shall include mechanisms to expedi-
8 tiously address delays that may occur during the recovery
9 from a major disaster, and shall be updated as appro-
10 priate.”.

11 (g) DISPUTE RESOLUTION PILOT PROGRAM.—

12 (1) DEFINITIONS.—In this subsection—

13 (A) the term “Administrator” means the
14 Administrator of the Federal Emergency Man-
15 agement Agency; and

16 (B) the term “eligible assistance” means
17 assistance—

18 (i) under section 403, 406, or 407 of
19 the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C.
21 5170b, 5172, 5173);

22 (ii) for which the legitimate amount in
23 dispute is not less than \$1,000,000, which
24 the Administrator shall adjust annually to
25 reflect changes in the Consumer Price

1 Index for all Urban Consumers published
2 by the Department of Labor; and

3 (iii) for which the applicant has a
4 non-Federal share.

5 (2) PROCEDURES.—

6 (A) IN GENERAL.—Not later than 180
7 days after the date of enactment of this Act,
8 and in order to facilitate an efficient recovery
9 from major disasters, the Administrator shall
10 establish procedures under which an applicant
11 may request the use of alternative dispute reso-
12 lution, including arbitration by an independent
13 review panel, to resolve disputes relating to eli-
14 gible assistance.

15 (B) BINDING EFFECT.—A decision by an
16 independent review panel under this subsection
17 shall be binding upon the parties to the dispute.

18 (C) CONSIDERATIONS.—The procedures
19 established under this subsection shall—

20 (i) allow a party of a dispute relating
21 to eligible assistance to request an inde-
22 pendent review panel for the review;

23 (ii) require a party requesting an
24 independent review panel as described in
25 clause (i) to agree to forego rights to any

1 further appeal of the dispute relating to
2 any eligible assistance;

3 (iii) require that the sponsor of an
4 independent review panel for any alter-
5 native dispute resolution under this sub-
6 section shall be—

7 (I) an individual or entity unaf-
8 filiated with the dispute (which may
9 include a Federal agency, an adminis-
10 trative law judge, or a reemployed an-
11 nuitant who was an employee of the
12 Federal Government) selected by the
13 Administrator; and

14 (II) responsible for identifying
15 and maintaining an adequate number
16 of independent experts qualified to re-
17 view and resolve disputes under this
18 subsection;

19 (iv) require an independent review
20 panel to—

21 (I) resolve any remaining dis-
22 puted issue in accordance with all ap-
23 plicable laws, regulations, and Federal
24 Emergency Management Agency in-

1 terpretations of those laws through its
2 published policies and guidance;

3 (II) consider only evidence con-
4 tained in the administrative record, as
5 it existed at the time at which the
6 Federal Emergency Management
7 Agency made its initial decision;

8 (III) only set aside a decision of
9 the Federal Emergency Management
10 Agency found to be arbitrary, capri-
11 cious, an abuse of discretion, or other-
12 wise not in accordance with law; and

13 (IV) in the case of a finding of
14 material fact adverse to the claimant
15 made on first appeal, only set aside or
16 reverse such finding if the finding is
17 clearly erroneous;

18 (v) require an independent review
19 panel to expeditiously issue a written deci-
20 sion for any alternative dispute resolution
21 under this subsection; and

22 (vi) direct that if an independent re-
23 view panel for any alternative dispute reso-
24 lution under this subsection determines
25 that the basis upon which a party submits

1 a request for alternative dispute resolution
2 is frivolous, the independent review panel
3 shall direct the party to pay the reasonable
4 costs of the Federal Emergency Manage-
5 ment Agency relating to the review by the
6 independent review panel.

7 (D) FUNDS RECEIVED.—Any funds re-
8 ceived by the Federal Emergency Management
9 Agency under the authority under this sub-
10 section shall be deposited to the credit of the
11 appropriation or appropriations available for
12 the eligible assistance in dispute on the date on
13 which the funds are received.

14 (3) SUNSET.—A request for review by an inde-
15 pendent review panel under this subsection may not
16 be made after December 31, 2015.

17 (4) REPORT.—

18 (A) IN GENERAL.—Not later than 270
19 days after the termination of authority under
20 this subsection pursuant to paragraph (3), the
21 Comptroller General of the United States shall
22 submit to the Committee on Homeland Security
23 and Governmental Affairs of the Senate and the
24 Committee on Transportation and Infrastruc-
25 ture of the House of Representatives a report

1 analyzing the effectiveness of the program
2 under this subsection.

3 (B) CONTENTS.—The report submitted
4 under subparagraph (A) shall include—

5 (i) a determination of the availability
6 of data required to complete the report;

7 (ii) an assessment of the effectiveness
8 of the program under this subsection, in-
9 cluding an assessment of whether the pro-
10 gram expedited or delayed the disaster re-
11 covery process;

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

17 (iv) an assessment of the procedures
18 and safeguards that the independent re-
19 view panels established to ensure objec-
20 tivity and accuracy, and the extent to
21 which they followed those procedures and
22 safeguards;

23 (v) a recommendation as to whether
24 any aspect of the program under this sub-

1 section should be made a permanent au-
2 thority; and

3 (vi) recommendations for any modi-
4 fications to the authority or the adminis-
5 tration of the authority under this sub-
6 section in order to improve the disaster re-
7 covery process.

8 (h) INDIVIDUAL ASSISTANCE FACTORS.—In order to
9 provide more objective criteria for evaluating the need for
10 assistance to individuals and to speed a declaration of a
11 major disaster or emergency under the Robert T. Stafford
12 Disaster Relief and Emergency Assistance Act (42 U.S.C.
13 5121 et seq.), not later than 1 year after the date of enact-
14 ment of this Act, the Administrator of the Federal Emer-
15 gency Management Agency, in cooperation with represent-
16 atives of State, tribal, and local emergency management
17 agencies, shall review, update, and revise through rule-
18 making the factors considered under section 206.48 of
19 title 44, Code of Federal Regulations (including section
20 206.48(b)(2) of such title relating to trauma and the spe-
21 cific conditions or losses that contribute to trauma), to
22 measure the severity, magnitude, and impact of a disaster.

23 (i) CHILD CARE.—Section 408(e)(1) of the Robert T.
24 Stafford Disaster Relief and Emergency Assistance Act
25 (42 U.S.C. 5174(e)(1)) is amended—

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

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

4 (j) TEMPORARY HOUSING.—Section 408(c)(1)(B) of
5 the Robert T. Stafford Disaster Relief and Emergency As-
6 sistance Act (42 U.S.C. 5174(c)(1)(B)) is amended—

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

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

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

12 “(I) IN GENERAL.—The Presi-
13 dent, to the extent it would be a cost
14 effective alternative to other tem-
15 porary housing options, may—

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

23 “(bb) make repairs or im-
24 provement to properties under
25 such lease agreements, to the ex-

1 tent necessary to serve as safe
2 and adequate temporary housing.

3 “(II) IMPROVEMENTS OR RE-
4 PAIRS.—Under the terms of any lease
5 agreement for property entered into
6 under this subsection, the value of the
7 improvements or repairs shall be de-
8 ducted from the value of the lease
9 agreement; and may not exceed the
10 value of the lease agreement.

11 “(III) PERIOD OF ASSISTANCE.—
12 The President may not provide direct
13 assistance under this clause with re-
14 spect to a major disaster after the end
15 of the 18-month period beginning on
16 the date of declaration of the major
17 disaster by the President, except that
18 the President may extend that period
19 if the President determines that due
20 to extraordinary circumstances an ex-
21 tension would be in the public inter-
22 est.”; and

23 (3) in clause (iv), as so redesignated, by strik-
24 ing “clause (ii)” and inserting “clause (iii)”.

1 (k) TRIBAL REQUESTS FOR A MAJOR DISASTER OR
2 EMERGENCY DECLARATION UNDER THE STAFFORD
3 ACT.—

4 (1) MAJOR DISASTER REQUESTS.—Section 401
5 of the Robert T. Stafford Disaster Relief and Emer-
6 gency Assistance Act (42 U.S.C. 5170) is amend-
7 ed—

8 (A) by striking “All requests for a declara-
9 tion” and inserting “(a) IN GENERAL.—All re-
10 quests for a declaration”; and

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

12 “(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

13 “(1) IN GENERAL.—The Chief Executive of an
14 affected Indian tribal government may submit a re-
15 quest for a declaration by the President that a
16 major disaster exists consistent with the require-
17 ments of subsection (a).

18 “(2) REFERENCES.—In implementing assist-
19 ance authorized by the President under this Act in
20 response to a request of the Chief Executive of an
21 affected Indian tribal government for a major dis-
22 aster declaration, any reference in this Act, except
23 sections 310 and 326, to a State or the Governor of
24 a State is deemed to refer to an affected Indian trib-

1 al government or the Chief Executive of an affected
2 Indian tribal government, as appropriate.

3 “(3) SAVINGS PROVISION.—Nothing in this sub-
4 section shall prohibit an Indian tribal government
5 from receiving assistance under this Act through a
6 declaration made by the President at the request of
7 a State under subsection (a) if the President does
8 not make a declaration under this subsection for the
9 same incident.

10 “(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIB-
11 AL GOVERNMENTS.—

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

17 “(A) the President has the authority to
18 waive or adjust the payment under another pro-
19 vision of this Act; and

20 “(B) the President determines that the
21 waiver or adjustment is necessary and appro-
22 priate.

23 “(2) CRITERIA FOR MAKING DETERMINA-
24 TIONS.—The President shall establish criteria for
25 making determinations under paragraph (1)(B).”.

1 (2) EMERGENCY REQUESTS.—Section 501 of
2 the Robert T. Stafford Disaster Relief and Emer-
3 gency Assistance Act (42 U.S.C. 5191) is amended
4 by adding at the end the following:

5 “(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

6 “(1) IN GENERAL.—The Chief Executive of an
7 affected Indian tribal government may submit a re-
8 quest for a declaration by the President that an
9 emergency exists consistent with the requirements of
10 subsection (a).

11 “(2) REFERENCES.—In implementing assist-
12 ance authorized by the President under this Act in
13 response to a request of the Chief Executive of an
14 affected Indian tribal government for an emergency
15 declaration, any reference in this Act, except sec-
16 tions 310 and 326, to a State or the Governor of a
17 State is deemed to refer to an affected Indian tribal
18 government or the Chief Executive of an affected In-
19 dian tribal government, as appropriate.

20 “(3) SAVINGS PROVISION.—Nothing in this sub-
21 section shall prohibit an Indian tribal government
22 from receiving assistance under this Act through a
23 declaration made by the President at the request of
24 a State under subsection (a) if the President does

1 not make a declaration under this subsection for the
2 same incident.”.

3 (3) DEFINITIONS.—Section 102 of the Robert
4 T. Stafford Disaster Relief and Emergency Assist-
5 ance Act (42 U.S.C. 5122) is amended—

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

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

13 (C) by inserting after paragraph (5) the
14 following:

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

22 (D) by adding at the end the following:

23 “(12) CHIEF EXECUTIVE.—The term ‘Chief Ex-
24 ecutive’ means the person who is the Chief, Chair-

1 man, Governor, President, or similar executive offi-
 2 cial of an Indian tribal government.”.

3 (4) REFERENCES.—Title I of the Robert T.
 4 Stafford Disaster Relief and Emergency Assistance
 5 Act (42 U.S.C. 5121 et seq.) is amended by adding
 6 after section 102 the following:

7 **“SEC. 103. REFERENCES.**

8 “Except as otherwise specifically provided, any ref-
 9 erence in this Act to ‘State and local’, ‘State or local’,
 10 ‘State, and local’, ‘State, or local’, or ‘State, local’ (includ-
 11 ing the plural form of such terms) with respect to govern-
 12 ments or officials and any reference to a ‘local govern-
 13 ment’ in sections 406(d)(3) and 417 shall be deemed to
 14 refer also to Indian tribal governments and officials, as
 15 appropriate.”.

16 (5) REGULATIONS.—

17 (A) ISSUANCE.—The President shall issue
 18 regulations to carry out the amendments made
 19 by this subsection.

20 (B) FACTORS.—In issuing regulations
 21 under this paragraph, the President shall con-
 22 sider the unique conditions that affect the gen-
 23 eral welfare of Indian tribal governments.

24 (I) REPORT.—Not later than 90 days after the date
 25 of enactment of this Act, the Chair of the Hurricane

1 Sandy Rebuilding Task Force established by the Presi-
2 dent, in consultation with the Administrator of the Fed-
3 eral Emergency Management Agency, the Secretary of the
4 Treasury, and others whom the Chair determines to be
5 appropriate, shall submit to the Committee on Appropria-
6 tions and the Committee on Homeland Security and Gov-
7 ernmental Affairs of the Senate and the Committee on Ap-
8 propriations and the Committee on Transportation and
9 Infrastructure of the House of Representatives a report
10 that includes a discussion of—

11 (1) the impacts of Hurricane Sandy on local
12 government budgets in States where a major dis-
13 aster has been declared, including revenues from
14 taxes, fees, and other sources, and expenses related
15 to operations, debt obligations, and unreimbursed
16 disaster-related costs;

17 (2) the availability of loans from private sources
18 to address such impacts, including information on
19 interest rates, repayment terms, securitization re-
20 quirements, and the ability of affected local govern-
21 ments to qualify for such loans;

22 (3) the availability of Federal resources to ad-
23 dress the budgetary impacts of Hurricane Sandy
24 upon local governments;

1 (4) the ability of the Community Disaster Loan
2 program authorized under section 417 of the Robert
3 T. Stafford Disaster Relief and Emergency Assist-
4 ance Act (42 U.S.C. 5184) to effectively and expedi-
5 tiously address budgetary impacts of Hurricane
6 Sandy and other disasters upon local governments,
7 including—

8 (A) an assessment of the current statutory
9 limits on loan amounts;

10 (B) the regulations, policies, and proce-
11 dures governing program mobilization to com-
12 munities in need and expeditious processing of
13 loan applications;

14 (C) information on interest rates, repay-
15 ment terms, securitization requirements, and
16 ability of affected local governments to qualify
17 for such loans;

18 (D) criteria governing the cancellation of
19 such loans, including appropriate classification
20 of available revenues and eligible expenses, and
21 the consistency of program rules with cus-
22 tomary local government budgetary practices
23 and State or local laws that affect the specific
24 budgetary practices of local governments af-
25 fected by Hurricane Sandy and other disasters;

1 (E) repayment terms and timeframes on
2 loans that do not qualify for cancellation;

3 (F) options for Congressional consideration
4 related to legislative modifications of this pro-
5 gram, and any other applicable provisions of
6 Federal law, in order to address the budgetary
7 impacts of Hurricane Sandy and other disasters
8 upon local governments; and

9 (G) recommendations on steps the Federal
10 Emergency Management Agency may take in
11 order to improve program administration, effec-
12 tiveness, communications, and speed; and

13 (5) potential consequences of Federal action or
14 inaction to address the budgetary impacts of Hurri-
15 cane Sandy upon local governments.

16 (m) APPLICABILITY.—Unless otherwise specified,
17 this section and the amendments made by this section
18 shall apply for—

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

23 (2) a major disaster or emergency declared be-
24 fore the date of enactment of this Act for which the

1 period for processing requests for assistance has not
2 ended on the date of enactment of this Act.

3 CHAPTER 7

4 DEPARTMENT OF THE INTERIOR

5 FISH AND WILDLIFE SERVICE

6 CONSTRUCTION

7 For an additional amount for “Construction” for nec-
8 essary expenses incurred to prepare for, respond to, and
9 recover from Hurricane Sandy, \$78,000,000, to remain
10 available until expended: *Provided*, That such amount is
11 designated by the Congress as being for an emergency re-
12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
13 anced Budget and Emergency Deficit Control Act of 1985.

14 NATIONAL PARK SERVICE

15 HISTORIC PRESERVATION FUND

16 For an additional amount for the “Historic Preserva-
17 tion Fund” for necessary expenses related to the con-
18 sequences of Hurricane Sandy, \$50,000,000, to remain
19 available until September 30, 2015, including costs to
20 states necessary to complete compliance activities required
21 by section 106 of the National Historic Preservation Act
22 and costs needed to administer the program: *Provided*,
23 That grants shall only be available for areas that have re-
24 ceived a major disaster declaration pursuant to the Robert
25 T. Stafford Disaster Relief and Emergency Assistance Act

1 (42 U.S.C. 5121 et seq.): *Provided further*, That individual
2 grants shall not be subject to a non-Federal matching re-
3 quirement: *Provided further*, That such amount is des-
4 ignated by the Congress as being for an emergency re-
5 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985.

7
8 CONSTRUCTION

9 For an additional amount for “Construction” for nec-
10 essary expenses incurred to prepare for, respond to, and
11 recover from Hurricane Sandy, \$348,000,000, to remain
12 available until expended: *Provided*, That such amount is
13 designated by the Congress as being for an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 BUREAU OF SAFETY AND ENVIRONMENTAL

17 ENFORCEMENT

18 OIL SPILL RESEARCH

19 For an additional amount for “Oil Spill Research”
20 for necessary expenses related to the consequences of Hur-
21 ricane Sandy, \$3,000,000, to remain available until ex-
22 pended: *Provided*, That such amount is designated by the
23 Congress as being for an emergency requirement pursuant
24 to section 251(b)(2)(A)(i) of the Balanced Budget and
Emergency Deficit Control Act of 1985.

1 DEPARTMENTAL OPERATIONS

2 OFFICE OF THE SECRETARY

3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for “Departmental Oper-
5 ations” and any Department of the Interior component
6 bureau or office for necessary expenses related to the con-
7 sequences of Hurricane Sandy and for other activities re-
8 lated to storms and natural disasters, \$150,000,000, to
9 remain available until expended: *Provided*, That funds ap-
10 propriated herein shall be used to restore and rebuild
11 parks, refuges, and other public assets; increase the resil-
12 iency and capacity of coastal habitat and infrastructure
13 to withstand future storms and reduce the amount of dam-
14 age caused by such storms; protect natural and cultural
15 values; and assist State, tribal and local governments: *Pro-*
16 *vided further*, That the Secretary may transfer these funds
17 to any other account in the Department and may expend
18 such funds by direct expenditure, grants, or cooperative
19 agreements, including grants to or cooperative agreements
20 with States, Tribes, and municipalities, to carry out the
21 purposes provided herein: *Provided further*, That the Sec-
22 retary shall submit to the Committees on Appropriations
23 of the House of Representatives and the Senate a detailed
24 spending plan for the amounts provided herein within 60
25 days of enactment of this Act: *Provided further*, That such

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

5 ENVIRONMENTAL PROTECTION AGENCY

6 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

7 For an additional amount for “Environmental Pro-
8 grams and Management” for necessary expenses related
9 to the consequences of Hurricane Sandy, \$725,000, to re-
10 main available until expended: *Provided*, That such
11 amount is designated by the Congress as being for an
12 emergency requirement pursuant to section
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 HAZARDOUS SUBSTANCE SUPERFUND

16 For an additional amount for “Hazardous Substance
17 Superfund” for necessary expenses related to the con-
18 sequences of Hurricane Sandy, \$2,000,000, to remain
19 available until expended: *Provided*, That such amount is
20 designated by the Congress as being for an emergency re-
21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 LEAKING UNDERGROUND STORAGE TANK FUND

24 For an additional amount for “Leaking Underground
25 Storage Tank Fund” for necessary expenses related to the

1 consequences of Hurricane Sandy, \$5,000,000, to remain
2 available until expended: *Provided*, That such amount is
3 designated by the Congress as being for an emergency re-
4 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985.

6 STATE AND TRIBAL ASSISTANCE GRANTS

7 For an additional amount for “State and Tribal As-
8 sistance Grants”, \$810,000,000, to remain available until
9 expended, of which \$700,000,000 shall be for capitaliza-
10 tion grants for the Clean Water State Revolving Funds
11 under Title VI of the Federal Water Pollution Control Act,
12 and of which \$110,000,000 shall be for capitalization
13 grants under section 1452 of the Safe Drinking Water
14 Act: *Provided*, That notwithstanding section 604(a) of the
15 Federal Water Pollution Control Act and section
16 1452(a)(1)(D) of the Safe Drinking Water Act, funds ap-
17 propriated herein shall be provided to States that have re-
18 ceived a major disaster declaration pursuant to the Robert
19 T. Stafford Disaster Relief and Emergency Assistance Act
20 (42 U.S.C. 5121 et seq.) for Hurricane Sandy: *Provided*
21 *further*, That no eligible state shall receive less than two
22 percent of such funds: *Provided further*, That funds appro-
23 priated herein shall not be subject to the matching or cost
24 share requirements of sections 602(b)(2), 602(b)(3) or
25 202 of the Federal Water Pollution Control Act nor the

1 matching requirements of section 1452(e) of the Safe
2 Drinking Water Act: *Provided further*, That notwith-
3 standing the requirements of section 603(d) of the Federal
4 Water Pollution Control Act, for the funds appropriated
5 herein, each State shall use not less than 50 percent of
6 the amount of its capitalization grants to provide addi-
7 tional subsidization to eligible recipients in the form of for-
8 giveness of principal, negative interest loans or grants or
9 any combination of these: *Provided further*, That the funds
10 appropriated herein shall only be used for eligible projects
11 whose purpose is to reduce flood damage risk and vulner-
12 ability or to enhance resiliency to rapid hydrologic change
13 or a natural disaster at treatment works as defined by
14 section 212 of the Federal Water Pollution Control Act
15 or any eligible facilities under section 1452 of the Safe
16 Drinking Water Act, and for other eligible tasks at such
17 treatment works or facilities necessary to further such
18 purposes: *Provided further*, That notwithstanding the defi-
19 nition of treatment works in section 212 of the Federal
20 Water Pollution Control Act, and subject to the purposes
21 described herein, the funds appropriated herein shall be
22 available for the purchase of land and easements necessary
23 for the siting of eligible treatment works projects: *Pro-*
24 *vided further*, That the Administrator may retain up to
25 \$1,000,000 of the funds appropriated herein for manage-

1 ment and oversight of the requirements of this section:
2 *Provided further*, That such amounts are designated by
3 the Congress as being for an emergency requirement pur-
4 suant to section 251(b)(2)(A)(i) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985.

6 RELATED AGENCIES

7 DEPARTMENT OF AGRICULTURE

8 FOREST SERVICE

9 CAPITAL IMPROVEMENT AND MAINTENANCE

10 For an additional amount for “Capital Improvement
11 and Maintenance” for necessary expenses related to the
12 consequences of Hurricane Sandy, \$4,400,000, to remain
13 available until expended: *Provided*, That such amount is
14 designated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 OTHER RELATED AGENCY

18 SMITHSONIAN INSTITUTION

19 SALARIES AND EXPENSES

20 For an additional amount for “Salaries and Ex-
21 penses” for necessary expenses related to the con-
22 sequences of Hurricane Sandy, \$2,000,000, to remain
23 available until expended: *Provided*, That such amount is
24 designated by the Congress as being for an emergency re-

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

3 CHAPTER 8

4 DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING ADMINISTRATION

6 TRAINING AND EMPLOYMENT SERVICES

7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Training and Employ-
9 ment Services”, \$50,000,000, for the dislocated workers
10 assistance national reserve for necessary expenses result-
11 ing from Hurricane Sandy, which shall be available from
12 the date of enactment of this Act through September 30,
13 2013: *Provided*, That the Secretary of Labor may transfer
14 up to \$3,500,000 of such funds to any other Department
15 of Labor account for other Hurricane Sandy reconstruc-
16 tion and recovery needs, including worker protection ac-
17 tivities: *Provided further*, That such amounts are des-
18 ignated by the Congress as being for an emergency re-
19 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES
3 ADMINISTRATION FOR CHILDREN AND FAMILIES
4 SOCIAL SERVICES BLOCK GRANT

5 For an additional amount for “Social Services Block
6 Grant”, \$500,000,000, for necessary expenses resulting
7 from Hurricane Sandy in States for which the President
8 declared a major disaster under title IV of the Robert T.
9 Stafford Disaster Relief and Emergency Assistance Act,
10 notwithstanding section 2003 and paragraphs (1) and (4)
11 of section 2005(a) of the Social Security Act: *Provided*,
12 That, notwithstanding section 2002 of the Social Security
13 Act, the distribution of such amount shall be limited to
14 States directly affected by these events: *Provided further*,
15 That section 2002(c) of the Social Security Act shall be
16 applied to funds appropriated in this paragraph by sub-
17 stituting succeeding 2 fiscal years for succeeding fiscal
18 year: *Provided further*, That funds appropriated in this
19 paragraph are in addition to the entitlement grants au-
20 thorized by section 2002(a)(1) of the Social Security Act
21 and shall not be available for such entitlement grants: *Pro-*
22 *vided further*, That in addition to other uses permitted by
23 title XX of the Social Security Act, funds appropriated
24 in this paragraph may be used for health services (includ-
25 ing mental health services), and for costs of renovating,

1 repairing, or rebuilding health care facilities (including
2 mental health facilities), child care facilities, or other so-
3 cial services facilities: *Provided further*, That notwith-
4 standing paragraphs (2) and (8) of section 2005(a) of the
5 Social Security Act, a State may use up to 10 percent
6 of its allotment of funds appropriated in this paragraph
7 to supplement any other funds available for the following
8 costs, subject to guidelines established by the Secretary,
9 for health care providers (as defined by the Secretary):
10 (a) payments to compensate employees of health care pro-
11 viders for wages lost as a direct result of Hurricane
12 Sandy, and (b) payments to support the viability of health
13 care providers with facilities that were substantially dam-
14 aged as a direct result of Hurricane Sandy: *Provided fur-*
15 *ther*, That funds appropriated in this paragraph are also
16 available for costs incurred up to 3 days prior to Hurri-
17 cane Sandy's October 29, 2012, landfall, subject to Fed-
18 eral review of documentation of the cost of services pro-
19 vided: *Provided further*, That none of the funds appro-
20 priated in this paragraph shall be available for costs that
21 are reimbursed by the Federal Emergency Management
22 Agency or insurance: *Provided further*, That, with respect
23 to the Federal interest in real property acquired or on
24 which construction or major renovation of facilities (as
25 such terms are defined in 45 CFR 1309.3) is undertaken

1 with these funds, procedures equivalent to those specified
2 in Subpart C of 45 CFR Part 1309 shall apply: *Provided*
3 *further*, That such amount is designated by the Congress
4 as being for an emergency requirement pursuant to sec-
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985.

7 CHILDREN AND FAMILY SERVICES PROGRAMS

8 For an additional amount for “Children and Families
9 Services Programs”, \$100,000,000, for making payments
10 under the Head Start Act in States for which the Presi-
11 dent declared a major disaster under title IV of the Robert
12 T. Stafford Disaster Relief and Emergency Assistance Act
13 as a result of Hurricane Sandy: *Provided*, That funds ap-
14 propriated in this paragraph are not subject to the alloca-
15 tion requirements of section 640(a) or the matching re-
16 quirements of section 640(b) of the Head Start Act: *Pro-*
17 *vided further*, That funds appropriated in this paragraph
18 shall be available through September 30, 2014 for activi-
19 ties to assist affected Head Start agencies, including tech-
20 nical assistance, costs of Head Start services (including
21 supportive services for children and families, and provision
22 of mental health services for children affected by Hurri-
23 cane Sandy), and costs of renovating, repairing, or re-
24 building those Head Start facilities damaged as a result
25 of Hurricane Sandy: *Provided further*, That none of the

1 funds appropriated in this paragraph shall be included in
2 the calculation of the “base grant” in subsequent fiscal
3 years, as such term is used in section 640(a)(7)(A) of the
4 Head Start Act: *Provided further*, That none of the funds
5 appropriated in this paragraph shall be available for costs
6 that are reimbursed by the Federal Emergency Manage-
7 ment Agency or by insurance: *Provided further*, That such
8 amounts are designated by the Congress as being for an
9 emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OFFICE OF THE SECRETARY

13 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

14 FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 For an additional amount for “Public Health and So-
17 cial Services Emergency Fund” for disaster response and
18 recovery, and other expenses related to Hurricane Sandy,
19 and for other disaster-response activities, \$200,000,000,
20 to remain available until expended: *Provided*, That these
21 funds may be transferred by the Secretary to accounts
22 within the Department of Health and Human Services,
23 and shall be available only for the purposes provided in
24 this paragraph: *Provided further*, That the transfer au-
25 thority provided in this paragraph is in addition to any

1 other transfer authority available in this or any other Act:
2 *Provided further*, That obligations incurred for response
3 activities for Hurricane Sandy prior to the enactment of
4 this Act may be charged to this appropriation: *Provided*
5 *further*, That funds appropriated in this paragraph may
6 be used for renovating, repairing, or rebuilding non-Fed-
7 eral research facilities damaged as a result of Hurricane
8 Sandy: *Provided further*, That funds appropriated under
9 this paragraph shall not be available for costs that are
10 eligible for reimbursement by the Federal Emergency
11 Management Agency or are covered by insurance: *Pro-*
12 *vided further*, That such amount is designated by the Con-
13 gress as being for an emergency requirement pursuant to
14 section 251(b)(2)(A)(i) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 RELATED AGENCY

17 SOCIAL SECURITY ADMINISTRATION

18 LIMITATION ON ADMINISTRATIVE EXPENSES

19 For an additional amount for “Limitation on Admin-
20 istrative Expenses”, \$2,000,000, for necessary expenses
21 resulting from Hurricane Sandy: *Provided*, That such
22 amount is designated by the Congress as being for an
23 emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 MEDICAL FACILITIES

2 For an additional amount for “Medical Facilities”,
3 \$6,000,000, to remain available until September 30, 2014,
4 for necessary expenses related to the consequences of Hur-
5 ricane Sandy: *Provided*, That such amount is designated
6 by the Congress as being for an emergency requirement
7 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
8 et and Emergency Deficit Control Act of 1985.

9 NATIONAL CEMETERY ADMINISTRATION

10 For an additional amount for “National Cemetery
11 Administration”, \$1,100,000, for necessary expenses re-
12 lated to the consequences of Hurricane Sandy: *Provided*,
13 That such amount is designated by the Congress as being
14 for an emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 DEPARTMENTAL ADMINISTRATION

18 INFORMATION TECHNOLOGY SYSTEMS

19 For an additional amount for “Information Tech-
20 nology Systems”, \$500,000, for necessary expenses re-
21 lated to the consequences of Hurricane Sandy: *Provided*,
22 That such amount is designated by the Congress as being
23 for an emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 CONSTRUCTION, MAJOR PROJECTS

2 For an additional amount for “Construction, Major
3 Projects”, \$207,000,000 to remain available until ex-
4 pended, for renovations and repairs to the Department of
5 Veterans Affairs Medical Center in Manhattan, New York,
6 as a consequence of damage caused by Hurricane Sandy:
7 *Provided*, That notwithstanding any other provision of
8 law, such funds may be obligated and expended to carry
9 out planning and design and major medical facility con-
10 struction not otherwise authorized by law: *Provided fur-*
11 *ther*, That such amount is designated by the Congress as
12 being for an emergency requirement pursuant to section
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 CHAPTER 10

16 DEPARTMENT OF TRANSPORTATION

17 FEDERAL AVIATION ADMINISTRATION

18 FACILITIES AND EQUIPMENT

19 (AIRPORT AND AIRWAY TRUST FUND)

20 For an additional amount for “Facilities and equip-
21 ment”, \$30,000,000, to be derived from the Airport and
22 Airway Trust Fund and to remain available until ex-
23 pended, for necessary expenses related to the consequences
24 of Hurricane Sandy: *Provided*, That such amount is des-
25 ignated by the Congress as being for an emergency re-

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

3 FEDERAL HIGHWAY ADMINISTRATION

4 FEDERAL-AID HIGHWAYS

5 EMERGENCY RELIEF PROGRAM

6 For an additional amount for the Emergency Relief
7 Program as authorized under section 125 of title 23,
8 United States Code, \$921,000,000, to remain available
9 until expended: *Provided*, That such amount is designated
10 by the Congress as being for an emergency requirement
11 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
12 et and Emergency Deficit Control Act of 1985.

13 FEDERAL RAILROAD ADMINISTRATION

14 GRANTS TO THE NATIONAL RAILROAD PASSENGER

15 CORPORATION

16 For an additional amount for the Secretary to make
17 grants to the National Railroad Passenger Corporation for
18 costs and losses incurred as a result of Hurricane Sandy
19 and to advance capital projects that address Northeast
20 Corridor infrastructure recovery, mitigation and resiliency
21 in the affected areas, \$336,000,000, to remain available
22 until expended: *Provided*, That the Administrator of the
23 Federal Railroad Administration may retain up to one-
24 half of 1 percent of the funds provided under this heading
25 to fund the award and oversight by the Administrator of

1 grants made under this heading: *Provided further*, That
2 such amount is designated by the Congress as being for
3 an emergency requirement pursuant to section
4 251(b)(2)(A)(i) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985.

6 FEDERAL TRANSIT ADMINISTRATION
7 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM
8 For the Public Transportation Emergency Relief
9 Program as authorized under section 5324 of title 49,
10 United States Code, \$10,783,000,000, to remain available
11 until expended, for recovery and relief efforts in the areas
12 most affected by Hurricane Sandy: *Provided*, That, of the
13 funds provided under this heading, the Secretary may
14 transfer up to \$5,383,000,000 to the appropriate agencies
15 to fund programs authorized under titles 23 and 49,
16 United States Code, in order to carry out mitigation
17 projects related to reducing risk of damage from future
18 disasters in areas impacted by Hurricane Sandy: *Provided*
19 *further*, That the Committees on Appropriations of the
20 Senate and the House of Representatives shall be notified
21 at least 15 days in advance of any such transfer: *Provided*
22 *further*, That notwithstanding any other provision of law,
23 the Federal share for all projects funded under this head-
24 ing for repairs, reconstruction or mitigation of transpor-
25 tation infrastructure in areas impacted by Hurricane

1 Sandy shall be 90 percent: *Provided further*, That up to
2 three-quarters of 1 percent of the funds retained for public
3 transportation emergency relief shall be available for the
4 purposes of administrative expenses and ongoing program
5 management oversight as authorized under 49 U.S.C.
6 5334 and 5338(i)(2) and shall be in addition to any other
7 appropriations for such purposes: *Provided further*, That,
8 of the funds made available under this heading,
9 \$6,000,000 shall be transferred to the Office of Inspector
10 General to support the oversight of activities funded under
11 this heading: *Provided further*, That such amounts are
12 designated by the Congress as being for an emergency re-
13 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 DEPARTMENT OF HOUSING AND URBAN

16 DEVELOPMENT

17 COMMUNITY PLANNING AND DEVELOPMENT

18 COMMUNITY DEVELOPMENT FUND

19 For an additional amount for the “Community Devel-
20 opment Fund” for necessary expenses related to disaster
21 relief, long-term recovery, restoration of infrastructure
22 and housing, economic revitalization, and mitigation in the
23 most impacted and distressed areas resulting from a
24 major disaster declared pursuant to the Robert T. Staf-
25 ford Disaster Relief and Emergency Assistance Act (42

1 U.S.C. 5121 et seq.), due to Hurricane Sandy, for activi-
2 ties authorized under title I of the Housing and Commu-
3 nity Development Act of 1974 (42 U.S.C. 5301 et seq.),
4 \$17,000,000,000, to remain available until expended, of
5 which at least \$2,000,000,000 shall be used for mitigation
6 projects to reduce future risk and vulnerabilities: *Pro-*
7 *vided*, That the Secretary shall establish a minimum allo-
8 cation for each eligible State declared a major disaster due
9 to Hurricane Sandy: *Provided further*, That, of the amount
10 provided under this heading, \$100,000,000 shall be used
11 to address the unmet needs of impacted areas resulting
12 from a major disaster declared pursuant to the Robert T.
13 Stafford Disaster Relief Act (42 U.S.C. 5121 et seq.) or
14 for small, economically distressed areas with a disaster de-
15 clared in 2011 or 2012: *Provided further*, That funds shall
16 be awarded directly to the State or unit of general local
17 government as a grantee at the discretion of the Secretary:
18 *Provided further*, That the Secretary shall allocate to
19 grantees not less than 33 percent of the funds provided
20 under this heading within 60 days after the enactment of
21 this Act based on the best available data: *Provided further*,
22 That prior to the obligation of funds, a grantee shall sub-
23 mit a plan to the Secretary for approval detailing the pro-
24 posed use of all funds, including criteria for eligibility and
25 how the use of these funds will address long-term recovery

1 and restoration of infrastructure and housing and eco-
2 nomic revitalization in the most impacted and distressed
3 areas: *Provided further*, That the Secretary shall by notice
4 specify the criteria for approval of such plans within 45
5 days of enactment of this Act: *Provided further*, That such
6 funds may not be used for activities reimbursable by, or
7 for which funds are made available by, the Federal Emer-
8 gency Management Agency or the Army Corps of Engi-
9 neers: *Provided further*, That the final paragraph under
10 the heading Community Development Block Grants in
11 title II of Public Law 105–276 (42 U.S.C. 5305 note)
12 shall not apply to funds provided under this heading: *Pro-*
13 *vided further*, That funds allocated under this heading
14 shall not be considered relevant to the non-disaster for-
15 mula allocations made pursuant to 42 U.S.C. 5306: *Pro-*
16 *vided further*, That a grantee may use up to 5 percent
17 of its allocation for administrative costs: *Provided further*,
18 That the Secretary shall require that grantees have estab-
19 lished procedures to ensure timely expenditure of funds
20 and prevent any duplication of benefits as defined by 42
21 U.S.C. 5155 and prevent fraud and abuse of funds: *Pro-*
22 *vided further*, That the Secretary shall provide grantees
23 with technical assistance on contracting and procurement
24 processes and shall require grantees, in contracting or pro-
25 curing for management and administration of these funds,

1 to incorporate performance requirements and penalties
2 into any such contracts or agreements and to maintain
3 information with respect to performance on the use of any
4 funds for management and administrative purposes: *Pro-*
5 *vided further*, That in administering the funds under this
6 heading, the Secretary may waive, or specify alternative
7 requirements for, any provision of any statute or regula-
8 tion that the Secretary administers in connection with the
9 obligation by the Secretary or the use by the recipient of
10 these funds (except for requirements related to fair hous-
11 ing, nondiscrimination, labor standards, and the environ-
12 ment), pursuant to a determination by the Secretary that
13 good cause exists for the waiver or alternative requirement
14 and that such action is not inconsistent with the overall
15 purposes of title I of the Housing and Community Devel-
16 opment Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*
17 *further*, That notwithstanding the previous proviso, recipi-
18 ents of funds provided under this heading that use such
19 funds to match or supplement Federal assistance provided
20 under sections 402, 403, 406, 407, or 502 of the Robert
21 T. Stafford Disaster Relief and Emergency Assistance Act
22 (42 U.S.C. 5121 et seq.) may adopt, without review or
23 public comment, any environmental review, approval, or
24 permit performed by a Federal agency, and such adoption
25 shall satisfy the responsibilities of the recipient with re-

1 spect to such environmental review, approval, or permit:
2 *Provided further,* That, notwithstanding 42 U.S.C.
3 5304(g)(2), the Secretary may, upon receipt of a request
4 for release of funds and certification, immediately approve
5 the release of funds for an activity or project assisted
6 under this heading if the recipient has adopted an environ-
7 mental review prepared under the National Environmental
8 Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the project
9 is categorically excluded from further review under the
10 National Environmental Policy Act of 1969 (42 U.S.C.
11 4321 et seq.): *Provided further,* That a waiver granted by
12 the Secretary may not reduce the percentage of funds
13 which must be used for activities that benefit persons of
14 low and moderate income to less than 50 percent, unless
15 the Secretary specifically finds that there is a compelling
16 need to further reduce or eliminate the percentage require-
17 ment: *Provided further,* That the Secretary shall publish
18 in the Federal Register any waiver of any statute or regu-
19 lation that the Secretary administers pursuant to title I
20 of the Housing and Community Development Act of 1974
21 no later than 5 days before the effective date of such waiv-
22 er: *Provided further,* That funds provided under this head-
23 ing to for-profit enterprises may only assist such enter-
24 prises that meet the definition of small business as defined
25 by the Small Business Administration under 13 CFR part

1 121: *Provided further*, That notwithstanding the previous
2 proviso, funds may be provided to a for-profit enterprise,
3 that does not meet such definition of small business, but
4 which provides a public benefit, is publicly regulated, and
5 is otherwise eligible for assistance under 42 U.S.C. 5301
6 et seq., and the implementing regulations at 24 CFR Part
7 570.201(l): *Provided further*, That of the funds made
8 available under this heading, up to \$10,000,000 may be
9 transferred to “Program Office Salaries and Expenses,
10 Community Planning and Development” for technical as-
11 sistance and administrative costs (including information
12 technology costs), related solely to administering funds
13 available under this heading or funds made available
14 under prior appropriations to the “Community Develop-
15 ment Fund” for disaster relief, long-term recovery, or
16 emergency expenses: *Provided further*, That, of the funds
17 made available under this heading, \$10,000,000 shall be
18 transferred to “Office of Inspector General”: *Provided fur-*
19 *ther*, That the amounts provided under this heading are
20 designated by the Congress as being for an emergency re-
21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 GENERAL PROVISIONS—THIS CHAPTER

24 SEC. 51001. For fiscal year 2013, upon request by
25 a public housing agency and supported by documentation

1 as required by the Secretary of Housing and Urban Devel-
2 opment that demonstrates that the need for the adjust-
3 ment is due to the disaster, the Secretary may make tem-
4 porary adjustments to the Section 8 housing choice vouch-
5 er annual renewal funding allocations and administrative
6 fee eligibility determinations for public housing agencies
7 in an area for which the President declared a disaster
8 under title IV of the Robert T. Stafford Disaster Relief
9 and Emergency Assistance Act (42 U.S.C. 5170 et seq.),
10 to avoid significant adverse funding impacts that would
11 otherwise result from the disaster.

12 SEC. 51002. The Departments of Transportation and
13 Housing and Urban Development shall submit to the
14 Committees on Appropriations of the House of Rep-
15 resentatives and the Senate within 45 days after the date
16 of the enactment of this Act a plan for implementing the
17 provisions in this chapter, and updates to such plan on
18 a biannual basis thereafter.

19 SEC. 51003. None of the funds provided in this chap-
20 ter to the Department of Transportation or the Depart-
21 ment of Housing and Urban Development may be used
22 to make a grant unless the Secretary of such Department
23 notifies the House and Senate Committees on Appropria-
24 tions not less than 3 full business days before any project,
25 State or locality is selected to receive a grant award total-

1 ing \$1,000,000 or more is announced by either Depart-
2 ment or a modal administration.

3 CHAPTER 11

4 GENERAL PROVISIONS—THIS TITLE

5 SEC. 52001. Each amount appropriated or made
6 available in this title is in addition to amounts otherwise
7 appropriated for the fiscal year involved.

8 SEC. 52002. Each amount designated in this title by
9 the Congress as an emergency requirement pursuant to
10 section 251(b)(2)(A)(i) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985 shall be available
12 only if the President subsequently so designates all such
13 amounts and transmits such designations to the Congress.

14 SEC. 52003. (a) Not later than March 31, 2013, in
15 accordance with criteria to be established by the Office
16 of Management and Budget (OMB), Federal agencies
17 shall submit to OMB and to the Committee on Appropria-
18 tions of the House of Representatives and of the Senate
19 internal control plans for funds provided by this title.

20 (b) All programs and activities receiving funds under
21 this title shall be deemed to be “susceptible to significant
22 improper payments” for purposes of the Improper Pay-
23 ments Information Act of 2002 (31 U.S.C. 3321 note)
24 (IPIA), notwithstanding section 2(a) of IPIA.

1 (c) In accordance with guidance to be issued by the
2 Director of OMB, agencies shall identify those grants for
3 which the funds provided by this title should be expended
4 by the grantees within the 24-month period following the
5 agency's obligation of funds for the grant. In the case of
6 such grants, the agency shall include a term in the grant
7 that:

8 (1) requires the grantee to return to the agency
9 any funds not expended within the 24-month period;
10 and

11 (2) provides that the head of the agency may,
12 after consultation with the Director of OMB, subse-
13 quently issue a waiver of this requirement based on
14 a determination by the head of the agency that ex-
15 ceptional circumstances exist that justify an exten-
16 sion of the period in which the funds must be ex-
17 pended.

18 SEC. 52004. (a) In carrying out activities funded by
19 this title, Federal agencies, in partnership with States,
20 local communities and tribes, shall inform plans for re-
21 sponse, recovery, and rebuilding to reduce vulnerabilities
22 from and build long-term resiliency to future extreme
23 weather events, sea level rise, and coastal flooding. In car-
24 rying out activities funded by this title that involve repair-
25 ing, rebuilding, or restoring infrastructure and restoring

1 land, project sponsors shall consider, where appropriate,
2 the increased risks and vulnerabilities associated with fu-
3 ture extreme weather events, sea level rise and coastal
4 flooding.

5 (b) Funds made available in this title shall be avail-
6 able to develop, in partnership with State, local and tribal
7 officials, regional projections and assessments of future
8 risks and vulnerabilities to extreme weather events, sea
9 level rise and coastal flooding that may be used for the
10 planning referred to in subsection (a), and to encourage
11 coordination and facilitate long-term community resil-
12 iency.

13 SEC. 52005. Recipients of Federal funds dedicated
14 to reconstruction efforts under this title shall, to the great-
15 est extent practicable, ensure that such reconstruction ef-
16 forts maximize the utilization of technologies designed to
17 mitigate future power outages, continue delivery of vital
18 services and maintain the flow of power to facilities critical
19 to public health, safety and welfare. The Secretary of
20 Housing and Urban Development as chair of the Hurri-
21 cane Sandy Rebuilding Task Force shall issue appropriate
22 guidelines to implement this requirement.

23 SEC. 52006. (a) Any reference to “this Act” in titles
24 I through IV of this Act shall be treated as referring only
25 to the provisions of those titles.

1 (b) Any reference to “this Act” in title V shall be
2 treated as referring only to the provisions of title V.

3 This title may be cited as the “Disaster Relief Appro-
4 priations Act, 2013”.

5 This Act may be cited as the “Military Construction,
6 Veterans Affairs, and Disaster Relief Appropriations Act,
7 2013”.