

## Calendar No. 15

116TH CONGRESS  
1ST SESSION

# H. R. 268

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### IN THE SENATE OF THE UNITED STATES

JANUARY 17, 2019

Received

JANUARY 19, 2019

Read the first time

JANUARY 22, 2019

Read the second time and placed on the calendar

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## AN ACT

Making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are hereby appropriated, out of  
4       any money in the Treasury not otherwise appropriated,  
5       and out of applicable corporate or other revenues, receipts,  
6       and funds, for the several departments, agencies, corpora-  
7       tions, and other organizational units of Government for  
8       fiscal year 2019, and for other purposes, namely:

1 TITLE I  
2 DEPARTMENT OF AGRICULTURE  
3 AGRICULTURAL PROGRAMS  
4 PROCESSING, RESEARCH AND MARKETING  
5 OFFICE OF THE SECRETARY

6 For an additional amount for the “Office of the Sec-  
7 retary”, \$1,105,442,000 (increased by \$1,900,000,000),  
8 which shall remain available until December 31, 2020, for  
9 necessary expenses related to losses of crops (including  
10 milk and harvested adulterated wine grapes), trees,  
11 bushes, and vines, as a consequence of Hurricanes Michael  
12 or Florence, other hurricanes, typhoons, volcanic activity,  
13 or wildfires occurring in calendar year 2018 under such  
14 terms and conditions as determined by the Secretary: *Pro-*  
15 *vided*, That the Secretary may provide assistance for such  
16 losses in the form of block grants to eligible states and  
17 territories and such assistance may include compensation  
18 to producers, as determined by the Secretary, for past or  
19 future crop insurance premiums, forest restoration, and  
20 poultry and livestock losses: *Provided further*, That of the  
21 amounts provided under this heading, tree assistance pay-  
22 ments may be made under section 1501(e) of the Agricul-  
23 tural Act of 2014 (7 U.S.C. 9081(e)) to eligible orchard-  
24 ists or nursery tree growers (as defined in such section)  
25 of pecan trees with a tree mortality rate that exceeds 7.5

1 percent (adjusted for normal mortality) and is less than  
2 15 percent (adjusted for normal mortality), to be available  
3 until expended, for losses incurred during the period be-  
4 ginning January 1, 2018, and ending December 31, 2018:  
5 *Provided further*, That in the case of producers impacted  
6 by volcanic activity that resulted in the loss of crop land,  
7 or access to crop land, the Secretary shall consider all  
8 measures available, as appropriate, to bring replacement  
9 land into production: *Provided further*, That the total  
10 amount of payments received under this heading and ap-  
11 plicable policies of crop insurance under the Federal Crop  
12 Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured  
13 Crop Disaster Assistance Program (NAP) under section  
14 196 of the Federal Agriculture Improvement and Reform  
15 Act of 1996 (7 U.S.C. 7333) shall not exceed 90 percent  
16 of the loss as determined by the Secretary: *Provided fur-*  
17 *ther*, That the total amount of payments received under  
18 this heading for producers who did not obtain a policy or  
19 plan of insurance for an insurable commodity for the ap-  
20 plicable crop year under the Federal Crop Insurance Act  
21 (7 U.S.C. 1501 et seq.) for the crop incurring the losses  
22 or did not file the required paperwork and pay the service  
23 fee by the applicable State filing deadline for a noninsur-  
24 able commodity for the applicable crop year under NAP  
25 for the crop incurring the losses shall not exceed 70 per-

1 cent of the loss as determined by the Secretary: *Provided*  
 2 *further*, That producers receiving payments under this  
 3 heading, as determined by the Secretary, shall be required  
 4 to purchase crop insurance where crop insurance is avail-  
 5 able for the next two available crop years, excluding tree  
 6 insurance policies, and producers receiving payments  
 7 under this heading shall be required to purchase coverage  
 8 under NAP where crop insurance is not available in the  
 9 next two available crop years, as determined by the Sec-  
 10 retary: *Provided further*, That, not later than 120 days  
 11 after the end of fiscal year 2019, the Secretary shall sub-  
 12 mit a report to the Congress specifying the type, amount,  
 13 and method of such assistance by state and territory: *Pro-*  
 14 *vided further*, That such amount is designated by the Con-  
 15 gress as being for an emergency requirement pursuant to  
 16 section 251(b)(2)(A)(i) of the Balanced Budget and  
 17 Emergency Deficit Control Act of 1985.

#### 18 FARM SERVICE AGENCY

##### 19 EMERGENCY FOREST RESTORATION PROGRAM

20 For an additional amount for the “Emergency Forest  
 21 Restoration Program”, for necessary expenses related to  
 22 the consequences of Hurricanes Michael and Florence and  
 23 wildfires occurring in calendar year 2018, and other nat-  
 24 ural disasters, \$480,000,000, to remain available until ex-  
 25 pended: *Provided*, That such amount is designated by the

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

4 NATURAL RESOURCES CONSERVATION SERVICE  
5 WATERSHED AND FLOOD PREVENTION OPERATIONS

6 For an additional amount for “Watershed and Flood  
7 Prevention Operations”, for necessary expenses for the  
8 Emergency Watershed Protection Program related to the  
9 consequences of Hurricanes Michael and Florence and  
10 wildfires occurring in calendar year 2018, and other nat-  
11 ural disasters, \$125,000,000, to remain available until ex-  
12 pended: *Provided*, That such amount is designated by the  
13 Congress as being for an emergency requirement pursuant  
14 to section 251(b)(2)(A)(i) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

16 RURAL DEVELOPMENT

17 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

18 For an additional amount for the cost of grants for  
19 rural community facilities programs as authorized by sec-  
20 tion 306 and described in section 381E(d)(1) of the Con-  
21 solidated Farm and Rural Development Act, for necessary  
22 expenses related to the consequences of Hurricanes Mi-  
23 chael and Florence and wildfires occurring in calendar  
24 year 2018, and other natural disasters, \$150,000,000, to  
25 remain available until expended: *Provided*, That sections

1 381E-H and 381N of the Consolidated Farm and Rural  
2 Development Act are not applicable to the funds made  
3 available under this heading: *Provided further*, That such  
4 amount is designated by the Congress as being for an  
5 emergency requirement pursuant to section  
6 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
7 Deficit Control Act of 1985.

8           GENERAL PROVISIONS—THIS TITLE

9           SEC. 101. In addition to other amounts made avail-  
10 able by section 309 of Public Law 115–72, there is hereby  
11 appropriated \$600,000,000 (increased by \$5,000,000) (in-  
12 creased by \$5,000,000) for the Secretary of Agriculture  
13 to provide a grant to the Commonwealth of Puerto Rico  
14 for disaster nutrition assistance in response to Presi-  
15 dentially declared major disasters and emergencies: *Pro-*  
16 *vided*, That the funds made available to the Common-  
17 wealth of Puerto Rico under this section shall remain  
18 available for obligation by the Commonwealth until Sep-  
19 tember 30, 2020, and shall be in addition to funds other-  
20 wise made available: *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        SEC. 102. In addition to amounts otherwise made  
2 available, out of the funds made available under section  
3 18 of Food and Nutrition Act of 2008, \$10,200,000 (in-  
4 creased by \$15,000,000) shall be available for the Sec-  
5 retary to provide a grant to the Commonwealth of the  
6 Northern Mariana Islands for disaster nutrition assistance  
7 in response to the Presidentially declared major disasters  
8 and emergencies: *Provided*, That funds made available to  
9 the Commonwealth of the Northern Mariana Islands  
10 under this section shall remain available for obligation by  
11 the Commonwealth until September 30, 2020: *Provided*  
12 *further*, That such amount is designated by the Congress  
13 as being for an emergency requirement pursuant to sec-  
14 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
15 gency Deficit Control Act of 1985.

16        SEC. 103. For purposes of administering title I of  
17 subdivision 1 of division B of the Bipartisan Budget Act  
18 of 2018 (Public Law 115–123), losses to agricultural pro-  
19 ducers resulting from hurricanes shall also include losses  
20 of peach and blueberry crops in calendar year 2017 due  
21 to extreme cold: *Provided*, That the amounts provided by  
22 this section are designated by the Congress as being for  
23 an emergency requirement pursuant to section  
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985: *Provided further*, That

1 amounts repurposed under this heading that were pre-  
2 viously designated by the Congress as an emergency re-  
3 quirement pursuant to the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985 are designated by the  
5 Congress as an emergency requirement pursuant to sec-  
6 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
7 gency Deficit Control Act of 1985.

8       SEC. 104. (a)(1) Except as provided in paragraph  
9 (2), a person or legal entity is not eligible to receive a  
10 payment under the Market Facilitation Program estab-  
11 lished pursuant to the Commodity Credit Corporation  
12 Charter Act (15 U.S.C. 714 et seq.) if the average ad-  
13 justed gross income of such person or legal entity is great-  
14 er than \$900,000.

15       (2) Paragraph (1) shall not apply to a person or legal  
16 entity if at least 75 percent of the adjusted gross income  
17 of such person or legal entity is derived from farming,  
18 ranching, or forestry related activities.

19       (b) A person or legal entity may not receive a pay-  
20 ment under the Market Facilitation Program described in  
21 subsection (a)(1), directly or indirectly, of more than  
22 \$125,000.

23       (c) In this section, the term “average adjusted gross  
24 income” has the meaning given the term defined in section



1 760.1502 of title 7 Code of Federal Regulations (as in  
2 effect July 18, 2018).

3 (d) The amount provided by this section is designated  
4 by the Congress as being for an emergency requirement  
5 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
6 et and Emergency Deficit Control Act of 1985.

## 7 TITLE II

### 8 DEPARTMENT OF COMMERCE

#### 9 ECONOMIC DEVELOPMENT ADMINISTRATION

#### 10 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

#### 11 (INCLUDING TRANSFERS OF FUNDS)

12 Pursuant to section 703 of the Public Works and  
13 Economic Development Act (42 U.S.C. 3233), for an addi-  
14 tional amount for “Economic Development Assistance  
15 Programs” for necessary expenses related to flood mitiga-  
16 tion, disaster relief, long-term recovery, and restoration of  
17 infrastructure in areas that received a major disaster des-  
18 ignation as a result of Hurricanes Florence, Michael, and  
19 Lane, Typhoons Yutu and Mangkhut, and of wildfires, vol-  
20 canic eruptions, earthquakes, and other natural disasters  
21 occurring in calendar year 2018 under the Robert T. Staf-  
22 ford Disaster Relief and Emergency Assistance Act (42  
23 U.S.C. 5121 et seq.), \$600,000,000, to remain available  
24 until expended: *Provided*, That such amount is designated  
25 by the Congress as being for an emergency requirement

1 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
 2 et and Emergency Deficit Control Act of 1985: *Provided*  
 3 *further*, That within the amount appropriated, up to 2 per-  
 4 cent of funds may be transferred to the “Salaries and Ex-  
 5 penses” account for administration and oversight activi-  
 6 ties: *Provided further*, That within the amount appro-  
 7 priated, \$1,000,000 shall be transferred to the “Office of  
 8 Inspector General” account for carrying out investigations  
 9 and audits related to the funding provided under this  
 10 heading.

11 NATIONAL OCEANIC AND ATMOSPHERIC

12 ADMINISTRATION

13 OPERATIONS, RESEARCH, AND FACILITIES

14 For an additional amount for “Operations, Research,  
 15 and Facilities” for necessary expenses related to the con-  
 16 sequences of Hurricanes Florence and Michael, Typhoon  
 17 Yutu, and of wildfires, \$120,570,000, to remain available  
 18 until September 30, 2020, as follows:

- 19 (1) \$3,000,000 for repair and replacement of  
 20 observing assets, real property, and equipment;  
 21 (2) \$11,000,000 for marine debris assessment  
 22 and removal;  
 23 (3) \$31,570,000 for mapping, charting, and ge-  
 24 odesy services;

1           (4) \$25,000,000 to improve: (a) hurricane in-  
2           tensity forecasting, including through deployment of  
3           unmanned ocean observing platforms and enhanced  
4           data assimilation; (b) flood prediction, forecasting,  
5           and mitigation capabilities; and (c) wildfire pre-  
6           diction, detection, and forecasting; and

7           (5) \$50,000,000 for Title IX Fund grants as  
8           authorized under section 906(c) of division O of  
9           Public Law 114–113:

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: *Provided further*, That  
14 the National Oceanic and Atmospheric Administration  
15 shall submit a spending plan to the Committees on Appro-  
16 priations of the House of Representatives and the Senate  
17 for funding provided under subsection (4) of this heading  
18 within 45 days after the date of enactment of this Act.

19           PROCUREMENT, ACQUISITION AND CONSTRUCTION

20           For an additional amount for “Procurement, Acquisi-  
21 tion and Construction”, \$25,000,000, to remain available  
22 until September 30, 2021, for improvements to oper-  
23 ational and research weather supercomputing infrastruc-  
24 ture and satellite ground services used for hurricane inten-  
25 sity and track prediction; flood prediction, forecasting, and

1 mitigation; and wildfire prediction, detection, and fore-  
2 casting: *Provided*, That such amount is designated by the  
3 Congress as being for an emergency requirement pursuant  
4 to section 251(b)(2)(A)(i) of the Balanced Budget and  
5 Emergency Deficit Control Act of 1985: *Provided further*,  
6 That the National Oceanic and Atmospheric Administra-  
7 tion shall submit a spending plan to the Committees on  
8 Appropriations of the House of Representatives and the  
9 Senate within 45 days after the date of enactment of this  
10 Act.

11 FISHERIES DISASTER ASSISTANCE

12 For an additional amount for “Fisheries Disaster As-  
13 sistance” for necessary expenses associated with the miti-  
14 gation of fishery disasters, \$150,000,000, to remain avail-  
15 able until expended: *Provided*, That funds shall be used  
16 for mitigating the effects of commercial fishery failures  
17 and fishery resource disasters declared by the Secretary  
18 of Commerce, including those declared by the Secretary  
19 to be a direct result of Hurricanes Florence and Michael  
20 and Typhoons Yutu and Mangkhut: *Provided further*,  
21 That such amount is designated by the Congress as being  
22 for an emergency requirement pursuant to section  
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

## 1 DEPARTMENT OF JUSTICE

## 2 UNITED STATES MARSHALS SERVICE

## 3 SALARIES AND EXPENSES

4 For an additional amount for “Salaries and Ex-  
5 penses” for necessary expenses related to the con-  
6 sequences of Hurricanes Florence and Michael and Ty-  
7 phoon Yutu, \$1,336,000: *Provided*, That such amount is  
8 designated by the Congress as being for an emergency re-  
9 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
10 anced Budget and Emergency Deficit Control Act of 1985.

## 11 FEDERAL PRISON SYSTEM

## 12 BUILDINGS AND FACILITIES

13 For an additional amount for “Buildings and Facili-  
14 ties” for necessary expenses related to the consequences  
15 of Hurricanes Florence and Michael and Typhoon Yutu,  
16 \$28,400,000, to remain available until expended: *Pro-*  
17 *vided*, That such amount is designated by the Congress  
18 as being for an emergency requirement pursuant to sec-  
19 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
20 gency Deficit Control Act of 1985.

## 21 RELATED AGENCIES

## 22 LEGAL SERVICES CORPORATION

## 23 PAYMENT TO THE LEGAL SERVICES CORPORATION

24 For an additional amount for “Payment to the Legal  
25 Services Corporation” to carry out the purposes of the

1 Legal Services Corporation Act by providing for necessary  
2 expenses related to the consequences of Hurricanes Flor-  
3 ence, Michael, and Lane, Typhoons Yutu and Mangkhut,  
4 and calendar year 2018 wildfires, volcanic eruptions, and  
5 earthquakes, \$15,000,000: *Provided*, That such amount is  
6 designated by the Congress as being for an emergency re-  
7 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
8 anced Budget and Emergency Deficit Control Act of 1985:  
9 *Provided further*, That none of the funds appropriated in  
10 this Act to the Legal Services Corporation shall be ex-  
11 pended for any purpose prohibited or limited by, or con-  
12 trary to any of the provisions of, sections 501, 502, 503,  
13 504, 505, and 506 of Public Law 105–119, and all funds  
14 appropriated in this Act to the Legal Services Corporation  
15 shall be subject to the same terms and conditions set forth  
16 in such sections, except that all references in sections 502  
17 and 503 to 1997 and 1998 shall be deemed to refer in-  
18 stead to 2018 and 2019, respectively, and except that sec-  
19 tions 501 and 503 of Public Law 104–134 (referenced by  
20 Public Law 105–119) shall not apply to the amount made  
21 available under this heading: *Provided further*, That, for  
22 the purposes of this Act, the Legal Services Corporation  
23 shall be considered an agency of the United States Gov-  
24 ernment.

1 TITLE III  
2 DEPARTMENT OF DEFENSE  
3 OPERATION AND MAINTENANCE, MARINE CORPS  
4 For an additional amount for “Operation and Main-  
5 tenance, Marine Corps”, \$200,000,000, for necessary ex-  
6 penses related to the consequences of Hurricanes Michael  
7 and Florence: *Provided*, That such amount is designated  
8 by the Congress as being for an emergency requirement  
9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
10 et and Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE, AIR FORCE  
12 For an additional amount for “Operation and Main-  
13 tenance, Air Force”, \$400,000,000, for necessary ex-  
14 penses related to the consequences of Hurricanes Michael  
15 and Florence: *Provided*, That such amount is designated  
16 by the Congress as being for an emergency requirement  
17 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
18 et and Emergency Deficit Control Act of 1985.

19 TITLE IV  
20 CORPS OF ENGINEERS—CIVIL  
21 DEPARTMENT OF THE ARMY  
22 INVESTIGATIONS  
23 For an additional amount for “Investigations” for  
24 necessary expenses related to the completion, or initiation  
25 and completion, of flood and storm damage reduction, in-

1 cluding shore protection, studies which are currently au-  
2 thorized or which are authorized after the date of enact-  
3 ment of this Act, to reduce risk from future floods and  
4 hurricanes, at full Federal expense, \$35,000,000, to re-  
5 main available until expended, in States and insular areas  
6 that were impacted by Hurricanes Florence and Michael,  
7 Typhoon Mangkhut, Super Typhoon Yutu, and Tropical  
8 Storm Gita: *Provided*, That such amount is designated by  
9 the Congress as being for an emergency requirement pur-  
10 suant to section 251(b)(2)(A)(i) of the Balanced Budget  
11 and Emergency Deficit Control Act of 1985: *Provided fur-*  
12 *ther*, That the Assistant Secretary of the Army for Civil  
13 Works shall provide a monthly report directly to the Com-  
14 mittees on Appropriations of the House and the Senate  
15 detailing the allocation and obligation of these funds, in-  
16 cluding new studies selected to be initiated using funds  
17 provided under this heading, beginning not later than 60  
18 days after the enactment of this Act.

19 CONSTRUCTION

20 For an additional amount for “Construction” for nec-  
21 essary expenses, \$715,000,000 (increased by  
22 \$25,000,000), to remain available until expended, to con-  
23 struct flood and storm damage reduction, including shore  
24 protection, projects which are currently authorized or  
25 which are authorized after the date of enactment of this



1 Act, and flood and storm damage reduction, including  
2 shore protection, projects which have signed Chief's Re-  
3 ports as of the date of enactment of this Act or which  
4 are studied using funds provided under the heading "In-  
5 vestigations" if the Secretary determines such projects to  
6 be technically feasible, economically justified, and environ-  
7 mentally acceptable, in States and insular areas that were  
8 impacted by Hurricanes Florence and Michael, Typhoon  
9 Mangkhut, Super Typhoon Yutu, and Tropical Storm  
10 Gita: *Provided*, That projects receiving funds provided in  
11 Public Law 115–123 shall not be eligible for funding pro-  
12 vided under this heading: *Provided further*, That for  
13 projects receiving funding under this heading, the provi-  
14 sions of Section 902 of the Water Resources Act of 1986  
15 shall not apply to these funds: *Provided further*, That the  
16 completion of ongoing construction projects receiving  
17 funds provided under this heading shall be at full Federal  
18 expense with respect to such funds: *Provided further*, That  
19 using funds provided under this heading, the non-Federal  
20 cash contribution for projects not eligible as ongoing con-  
21 struction projects shall be financed in accordance with the  
22 provisions of section 103(k) of Public Law 99–662 over  
23 a period of 30 years from the date of completion of the  
24 project or separable element: *Provided further*, That of  
25 this amount \$25,000,000 shall be used for Corps of Engi-

1 needs ecosystem restoration projects: *Provided further,*  
2 That up to \$25,000,000 of the funds made available under  
3 this heading shall be used for continuing authorities  
4 projects to reduce the risk of flooding and storm damage:  
5 *Provided further,* That any projects using funds appro-  
6 priated under this heading shall be initiated only after  
7 non-Federal interests have entered into binding agree-  
8 ments with the Secretary requiring, where applicable, the  
9 non-Federal interests to pay 100 percent of the operation,  
10 maintenance, repair, replacement, and rehabilitation costs  
11 of the project and to hold and save the United States free  
12 from damages due to the construction or operation and  
13 maintenance of the project, except for damages due to the  
14 fault or negligence of the United States or its contractors:  
15 *Provided further,* That such amount is designated by the  
16 Congress as being for an emergency requirement pursuant  
17 to section 251(b)(2)(A)(i) of the Balanced Budget and  
18 Emergency Deficit Control Act of 1985: *Provided further,*  
19 That the Assistant Secretary of the Army for Civil Works  
20 shall provide a monthly report directly to the Committees  
21 on Appropriations of the House of Representatives and the  
22 Senate detailing the allocation and obligation of these  
23 funds, beginning not later than 60 days after the date of  
24 the enactment of this Act.

## MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for “Mississippi River and Tributaries” for necessary expenses to address emergency situations at Corps of Engineers projects and rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters, \$225,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.

## OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal projects caused by, natural disasters, \$245,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall

1 be derived from the Harbor Maintenance Trust Fund:  
2 *Provided*, That such amount is designated by the Congress  
3 as being for an emergency requirement pursuant to sec-  
4 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
5 gency Deficit Control Act of 1985: *Provided further*, That  
6 the Assistant Secretary of the Army for Civil Works shall  
7 provide a monthly report directly to the Committees on  
8 Appropriations of the House of Representatives and the  
9 Senate detailing the allocation and obligation of these  
10 funds, beginning not later than 60 days after the enact-  
11 ment of this Act.

## 12 DEPARTMENT OF THE INTERIOR

### 13 CENTRAL UTAH PROJECT

#### 14 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

15 For an additional amount for “Central Utah Project  
16 Completion Account”, \$350,000, to be deposited into the  
17 Utah Reclamation Mitigation and Conservation Account  
18 for use by the Utah Reclamation Mitigation and Conserva-  
19 tion Commission, to remain available until expended, for  
20 expenses necessary in carrying out fire remediation activi-  
21 ties related to wildfires in 2018: *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 BUREAU OF RECLAMATION  
2 WATER AND RELATED RESOURCES

3 For an additional amount for “Water and Related  
4 Resources”, \$15,500,000, to remain available until ex-  
5 pended, for fire remediation and suppression emergency  
6 assistance related to wildfires in 2017 and 2018: *Provided*,  
7 That such amount is designated by the Congress as being  
8 for an emergency requirement pursuant to section  
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 DEPARTMENT OF ENERGY  
12 ENERGY PROGRAMS  
13 ELECTRICITY DELIVERY

14 For an additional amount for “Electricity Delivery”,  
15 \$15,500,000, to remain available until expended, for nec-  
16 essary expenses related to the consequences of Hurricanes  
17 Harvey, Irma, and Maria, and Super Typhoon Yutu, in-  
18 cluding technical assistance related to electric grids: *Pro-*  
19 *vided*, That such amount is designated by the Congress  
20 as being for an emergency requirement pursuant to sec-  
21 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
22 gency Deficit Control Act of 1985: *Provided further*, That  
23 the Assistant Secretary of Electricity Delivery shall pro-  
24 vide a monthly report to the Committees on Appropria-  
25 tions of the House of Representatives and the Senate de-

1 tailing the allocation and obligation of these funds, begin-  
2 ning not later than 60 days after the enactment of this  
3 Act.

## 4 TITLE V

### 5 DEPARTMENT OF HOMELAND SECURITY

#### 6 SECURITY, ENFORCEMENT, AND

#### 7 INVESTIGATIONS

#### 8 COAST GUARD

#### 9 OPERATIONS AND SUPPORT

10 For an additional amount for “Operations and Sup-  
11 port” for necessary expenses related to the consequences  
12 of Hurricanes Michael, Florence, and Lane, Tropical  
13 Storm Gordon, and Typhoon Mangkhut, \$46,977,000, to  
14 remain available until September 30, 2020: *Provided*,  
15 That such amount is designated by the Congress as being  
16 for an emergency requirement pursuant to section  
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

#### 19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

20 For an additional amount for “Procurement, Con-  
21 struction, and Improvements” for necessary expenses re-  
22 lated to the consequences of Hurricanes Michael, Flor-  
23 ence, and Lane, Tropical Storm Gordon, and Typhoon  
24 Mangkhut, \$476,755,000, to remain available until Sep-  
25 tember 30, 2023: *Provided*, That such amount is des-

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

4 ENVIRONMENTAL COMPLIANCE AND RESTORATION

5 For an additional amount for “Environmental Com-  
 6 pliance and Restoration” for necessary expenses related  
 7 to the consequences of Hurricanes Michael and Florence,  
 8 \$2,000,000, to remain available until September 30, 2023:  
 9 *Provided*, That such amount is designated by the Congress  
 10 as being for an emergency requirement pursuant to sec-  
 11 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
 12 gency Deficit Control Act of 1985.

13 GENERAL PROVISIONS—THIS TITLE

14 SEC. 501. (a) IN GENERAL.—The Federal share of  
 15 assistance provided for DR–4336–PR, DR–4339–PR,  
 16 DR–4340–USVI and DR–4335–USVI under sections  
 17 403, 406 and 407 of the Robert T. Stafford Disaster Re-  
 18 lief and Emergency Assistance Act (42 U.S.C. 5170b and  
 19 5173) shall be 100 percent of the eligible costs under such  
 20 sections.

21 (b) APPLICABILITY.—The Federal share provided by  
 22 subsection (a) shall apply to disaster assistance applied  
 23 for before, on, or after the date of enactment of this Act.

24 SEC. 502. The Administrator of the Federal Emer-  
 25 gency Management Agency may provide assistance, pursu-

ant to section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), for critical services as defined in section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act for the duration of the recovery for incidents DR-4404, DR-4396, and DR-4398 to—

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

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

## TITLE VI

### DEPARTMENT OF THE INTERIOR

#### UNITED STATES FISH AND WILDLIFE SERVICE

#### CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, and flooding associated with major declared disaster DR-4365, and calendar year 2018 earthquakes, \$82,400,000, to remain available until ex-



1 pending: *Provided*, That of this amount \$50,000,000 shall  
2 be used to restore and rebuild national wildlife refuges and  
3 increase the resiliency and capacity of coastal habitat and  
4 infrastructure to withstand storms and reduce the amount  
5 of damage caused by such storms: *Provided further*, That  
6 such amount is designated by the Congress as being for  
7 an emergency requirement pursuant to section  
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

10 NATIONAL PARK SERVICE

11 HISTORIC PRESERVATION FUND

12 For an additional amount for the “Historic Preserva-  
13 tion Fund” for necessary expenses related to the con-  
14 sequences of Hurricanes Florence and Michael, and Ty-  
15 phoon Yutu, \$50,000,000, to remain available until Sep-  
16 tember 30, 2022, including costs to States and territories  
17 necessary to complete compliance activities required by  
18 section 306108 of title 54, United States Code (formerly  
19 section 106 of the National Historic Preservation Act) and  
20 costs needed to administer the program: *Provided*, That  
21 grants shall only be available for areas that have received  
22 a major disaster declaration pursuant to the Robert T.  
23 Stafford Disaster Relief and Emergency Assistance Act  
24 (42 U.S.C. 5121 et seq.): *Provided further*, That individual  
25 grants shall not be subject to a non-Federal matching re-

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

#### 5 CONSTRUCTION

6 For an additional amount for “Construction” for nec-  
 7 essary expenses related to the consequences of Hurricanes  
 8 Florence and Michael, Typhoons Yutu and Mangkhut, and  
 9 calendar year 2018 wildfires, earthquakes, and volcanic  
 10 eruptions, \$78,000,000, to remain available until ex-  
 11 pended: *Provided*, That such amount is designated by the  
 12 Congress as being for an emergency requirement pursuant  
 13 to section 251(b)(2)(A)(i) of the Balanced Budget and  
 14 Emergency Deficit Control Act of 1985.

#### 15 UNITED STATES GEOLOGICAL SURVEY

#### 16 SURVEYS, INVESTIGATIONS, AND RESEARCH

17 For an additional amount for “Surveys, Investiga-  
 18 tions, and Research” for necessary expenses related to the  
 19 consequences of Hurricanes Florence and Michael, and  
 20 calendar year 2018 wildfires, earthquake damage associ-  
 21 ated with emergency declaration EM–3410, and in those  
 22 areas impacted by a major disaster declared pursuant to  
 23 the Robert T. Stafford Disaster Relief and Emergency As-  
 24 sistance Act (42 U.S.C. 5121 et seq.) with respect to cal-  
 25 endar year 2018 wildfires or volcanic eruptions,

1 \$98,500,000, to remain available until expended: *Pro-*  
2 *vided*, That of this amount, \$72,310,000 is for costs re-  
3 lated to the repair and replacement of equipment and fa-  
4 cilities damaged by disasters in 2018: *Provided further*,  
5 That, not later than 90 days after enactment of this Act,  
6 the Survey shall submit a report to the Committees on  
7 Appropriations that describes the potential options to re-  
8 place the facility damaged by the 2018 volcano disaster  
9 along with cost estimates and a description of how the  
10 Survey will provide direct access for monitoring volcanic  
11 activity and the potential threat to at-risk communities:  
12 *Provided further*, That such amount is designated by the  
13 Congress as being for an emergency requirement pursuant  
14 to section 251(b)(2)(A)(i) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

16 DEPARTMENTAL OFFICES

17 INSULAR AFFAIRS

18 ASSISTANCE TO TERRITORIES

19 For an additional amount for “Technical Assistance”  
20 for financial management expenses related to the con-  
21 sequences of Typhoon Yutu, \$2,000,000, to remain avail-  
22 able until expended: *Provided*, That such amount is des-  
23 ignated by the Congress as being for an emergency re-  
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
25 anced Budget and Emergency Deficit Control Act of 1985.

## OFFICE OF INSPECTOR GENERAL

## SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## ENVIRONMENTAL PROTECTION AGENCY

## SCIENCE AND TECHNOLOGY

For an additional amount for “Science and Technology” for necessary expenses related to improving preparedness of the water sector, \$600,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
PROGRAM

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

1 consequences of Hurricanes Florence and Michael, cal-  
2endar year 2018 earthquakes, and Typhoon Yutu,  
3 \$1,500,000, to remain available until expended: *Provided*,  
4 That such amount is designated by the Congress as being  
5 for an emergency requirement pursuant to section  
6 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
7 Deficit Control Act of 1985.

8 STATE AND TRIBAL ASSISTANCE GRANTS

9 For additional amounts for “State and Tribal Assist-  
10 ance Grants” for necessary expenses related to the con-  
11 sequences of Hurricanes Florence and Michael and cal-  
12endar year 2018 earthquakes for the hazardous waste fi-  
13nancial assistance grants program, \$1,500,000, to remain  
14available until expended; for necessary expenses related to  
15the consequences of Typhoon Yutu for the hazardous  
16waste financial assistance grants program and for other  
17solid waste management activities, \$56,000,000, to remain  
18available until expended, provided that none of these funds  
19shall be subject to section 3011(b) of the Solid Waste Dis-  
20posal Act; and for grants under section 106 of the Federal  
21Water Pollution Control Act, \$5,000,000, to remain avail-  
22able until expended, to address impacts of Hurricane Flor-  
23ence, Hurricane Michael, Typhoon Yutu, and calendar  
24year 2018 wildfires, notwithstanding subsections (b), (e),  
25and (f), of such section: *Provided*, That such amounts are

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

4       For an additional amount for “State and Tribal As-  
5 sistance Grants”, \$349,400,000 to remain available until  
6 expended, of which \$53,300,000 shall be for capitalization  
7 grants for the Clean Water State Revolving Funds under  
8 title VI of the Federal Water Pollution Control Act, and  
9 of which \$296,100,000 shall be for capitalization grants  
10 under section 1452 of the Safe Drinking Water Act: *Pro-*  
11 *vided*, That notwithstanding section 604(a) of the Federal  
12 Water Pollution Control Act and section 1452(a)(1)(D) of  
13 the Safe Drinking Water Act, funds appropriated herein  
14 shall be provided to States in EPA Regions 4, 9, and 10  
15 in amounts determined by the Administrator for waste-  
16 water treatment works and drinking water facilities im-  
17 pacted by Hurricanes Florence and Michael, Typhoon  
18 Yutu, and calendar year 2018 wildfires and earthquakes:  
19 *Provided further*, That notwithstanding the requirements  
20 of section 603(i) of the Federal Water Pollution Control  
21 Act and section 1452(d) of the Safe Drinking Water Act,  
22 for the funds appropriated herein, each State shall use not  
23 less than 20 percent but not more than 30 percent amount  
24 of its capitalization grants to provide additional subsidiza-  
25 tion to eligible recipients in the form of forgiveness of prin-

1 cipal, negative interest loans or grants or any combination  
2 of these: *Provided further*, That the Administrator shall  
3 retain \$10,400,000 of the funds appropriated herein for  
4 grants for drinking water facilities and waste water treat-  
5 ment plants impacted by Typhoon Yutu: *Provided further*,  
6 That the funds appropriated herein shall be used for eligi-  
7 ble projects whose purpose is to reduce flood or fire dam-  
8 age risk and vulnerability or to enhance resiliency to rapid  
9 hydrologic change or natural disaster at treatment works  
10 as defined by section 212 of the Federal Water Pollution  
11 Control Act or any eligible facilities under section 1452  
12 of the Safe Drinking Water Act, and for other eligible  
13 tasks at such treatment works or facilities necessary to  
14 further such purposes: *Provided further*, That the Admin-  
15 istrator of the Environmental Protection Agency may re-  
16 tain up to \$1,000,000 of the funds appropriated herein  
17 for management and oversight: *Provided further*, That  
18 such amount is designated by the Congress as being for  
19 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 In addition, for an additional amount for “State and  
23 Tribal Assistance Grants”, \$500,000,000, to remain avail-  
24 able until expended, of which \$261,000,000 shall be for  
25 capitalization grants for the Clean Water State Revolving

1 Funds under title VI of the Federal Water Pollution Con-  
2 trol Act, and of which \$239,000,000 shall be for capital-  
3 ization grants under section 1452 of the Safe Drinking  
4 Water Act: *Provided*, That notwithstanding section 604(a)  
5 of the Federal Water Pollution Control Act and section  
6 1452(a)(1)(D) of the Safe Drinking Water Act, funds ap-  
7 propriated herein shall be provided to States or Territories  
8 in EPA Regions 2, 4 and 6 in amounts determined by  
9 the Administrator for wastewater and drinking water  
10 treatment works and facilities impacted by Hurricanes  
11 Harvey, Irma, and Maria: *Provided further*, That, for Re-  
12 gion 2, such funds allocated from funds appropriated here-  
13 in shall not be subject to the matching or cost share re-  
14 quirements of sections 602(b)(2), 602(b)(3) of the Federal  
15 Water Pollution Control Act nor the matching require-  
16 ments of section 1452(e) of the Safe Drinking Water Act:  
17 *Provided further*, That, for Region 2, notwithstanding the  
18 requirements of section 603(i) of the Federal Water Pollu-  
19 tion Control Act and section 1452(d) of the Safe Drinking  
20 Water Act, each State and Territory shall use the full  
21 amount of its capitalization grants allocated from funds  
22 appropriated herein to provide additional subsidization to  
23 eligible recipients in the form of forgiveness of principal,  
24 negative interest loans or grants or any combination of  
25 these: *Provided further*, That, for Regions 4 and 6, not-



1 withstanding the requirements of section 603(i) of the  
2 Federal Water Pollution Control Act and section 1452(d)  
3 of the Safe Drinking Water Act, for the funds allocated,  
4 each State shall use not less than 20 percent but not more  
5 than 30 percent amount of its capitalization grants allo-  
6 cated from funds appropriated herein to provide additional  
7 subsidization to eligible recipients in the form of forgive-  
8 ness of principal, negative interest loans or grants or any  
9 combination of these: *Provided further*, That the Adminis-  
10 trator shall retain \$74,600,000 of the funds appropriated  
11 herein for grants to any state or territory that has not  
12 established a water pollution control revolving fund pursu-  
13 ant to title VI of the Federal Water Pollution Control Act  
14 or section 1452 of the Safe Drinking Water Act for drink-  
15 ing water facilities and waste water treatment plants im-  
16 pacted by Hurricanes Irma and Maria: *Provided further*,  
17 That the funds appropriated herein shall only be used for  
18 eligible projects whose purpose is to reduce flood damage  
19 risk and vulnerability or to enhance resiliency to rapid hy-  
20 drologic change or a natural disaster at treatment works  
21 as defined by section 212 of the Federal Water Pollution  
22 Control Act or any eligible facilities under section 1452  
23 of the Safe Drinking Water Act, and for other eligible  
24 tasks at such treatment works or facilities necessary to  
25 further such purposes: *Provided further*, That, for Region

1 2, notwithstanding section 603(d)(2) of the Federal Water  
 2 Pollution Control Act and section 1452(f)(2) of the Safe  
 3 Drinking Water Act, funds allocated from funds appro-  
 4 priated herein may be used to make loans or to buy, refi-  
 5 nance or restructure the debt obligations of eligible recipi-  
 6 ents only where such debt was incurred on or after Sep-  
 7 tember 20, 2017: *Provided further*, That the Adminis-  
 8 trator of the Environmental Protection Agency may retain  
 9 up to \$1,000,000 of the funds appropriated herein for  
 10 management and oversight: *Provided further*, 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 RELATED AGENCIES

### 16 DEPARTMENT OF AGRICULTURE

#### 17 FOREST SERVICE

#### 18 FOREST AND RANGELAND RESEARCH

19 For an additional amount for “Forest and Rangeland  
 20 Research” for necessary expenses related to the con-  
 21 sequences of Hurricanes Florence and Michael, and the  
 22 calendar year 2018 wildfires, \$1,000,000, to remain avail-  
 23 able until expended for the forest inventory and analysis  
 24 program: *Provided*, That such amount is designated by the  
 25 Congress as being for an emergency requirement pursuant

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

3 STATE AND PRIVATE FORESTRY

4 For an additional amount for “State and Private  
5 Forestry” for necessary expenses related to the con-  
6 sequences of Hurricanes Florence and Michael, and the  
7 calendar year 2018 wildfires, \$2,000,000 (increased by  
8 \$10,000,000), to remain available until expended: *Pro-*  
9 *vided*, That such amount is designated by the Congress  
10 as being for an emergency requirement pursuant to sec-  
11 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
12 gency Deficit Control Act of 1985.

13 NATIONAL FOREST SYSTEM

14 For an additional amount for “National Forest Sys-  
15 tem” for necessary expenses related to the consequences  
16 of Hurricanes Florence and Michael, and the calendar  
17 year 2018 wildfires, \$84,960,000, to remain available  
18 until expended: *Provided*, That of this amount  
19 \$21,000,000 shall be used for hazardous fuels manage-  
20 ment activities: *Provided further*, That such amount is des-  
21 ignated by the Congress as being for an emergency re-  
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
23 anced Budget and Emergency Deficit Control Act of 1985.

## 1 CAPITAL IMPROVEMENT AND MAINTENANCE

2 For an additional amount for “Capital Improvement  
3 and Maintenance” for necessary expenses related to the  
4 consequences of Hurricanes Florence and Michael, and the  
5 calendar year 2018 wildfires, \$36,040,000, to remain  
6 available until expended: *Provided*, That such amount is  
7 designated by the Congress as being for an emergency re-  
8 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
9 anced Budget and Emergency Deficit Control Act of 1985.

## 10 WILDLAND FIRE MANAGEMENT

## 11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “Wildland Fire Man-  
13 agement”, \$720,271,000, to remain available through  
14 September 30, 2022, for urgent wildland fire suppression  
15 operations: *Provided*, That such funds shall be solely avail-  
16 able to be transferred to and merged with other appropria-  
17 tions accounts from which funds were previously trans-  
18 ferred for wildland fire suppression in fiscal year 2018 to  
19 fully repay those amounts: *Provided further*, That such  
20 amount is designated by the Congress as an emergency  
21 requirement pursuant to section 251(b)(2)(A)(i) of the  
22 Balanced Budget and Emergency Deficit Control Act of  
23 1985.

1       DEPARTMENT OF HEALTH AND HUMAN  
2                               SERVICES  
3                               NATIONAL INSTITUTES OF HEALTH  
4       NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
5                               SCIENCES

6       For an additional amount for “National Institute of  
7   Environmental Health Sciences” for necessary expenses in  
8   carrying out activities set forth in section 311(a) of the  
9   Comprehensive Environmental Response, Compensation,  
10   and Liability Act of 1980 (42 U.S.C. 9660(a)) and section  
11   126(g) of the Superfund Amendments and Reauthoriza-  
12   tion Act of 1986 related to the consequences of major dis-  
13   asters declared pursuant to the Robert T. Stafford Dis-  
14   aster Relief and Emergency Assistance Act (42 U.S.C.  
15   5121 et seq.) in 2018, \$1,000,000, to remain available  
16   until expended: *Provided*, That such amount is designated  
17   by the Congress as being for an emergency requirement  
18   pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
19   et and Emergency Deficit Control Act of 1985.

20                   GENERAL PROVISION—THIS TITLE

21       SEC. 601. Not later than 45 days after the date of  
22   enactment of this Act, the agencies receiving funds appro-  
23   priated by this title shall provide a detailed operating plan  
24   of anticipated uses of funds made available in this title  
25   by State and Territory, and by program, project, and ac-

1 tivity, to the Committees on Appropriations: *Provided*,  
 2 That no such funds shall be obligated before the operating  
 3 plans are provided to the Committees: *Provided further*,  
 4 That such plans shall be updated, including obligations to  
 5 date, and submitted to the Committees on Appropriations  
 6 every 60 days until all such funds are expended.

## 7 TITLE VII

### 8 DEPARTMENT OF LABOR

#### 9 EMPLOYMENT AND TRAINING ADMINISTRATION

#### 10 TRAINING AND EMPLOYMENT SERVICES

#### 11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “Training and Employ-  
 13 ment Services”, \$50,000,000, for the dislocated workers  
 14 assistance national reserve for necessary expenses directly  
 15 related to the consequences of Hurricanes Florence and  
 16 Michael, Typhoon Mangkhut, Super Typhoon Yutu, or the  
 17 California wildfires occurring in calendar year 2018, to re-  
 18 main available through September 30, 2020: *Provided*,  
 19 That the Secretary of Labor may transfer up to  
 20 \$1,000,000 of such funds to any other Department of  
 21 Labor account for reconstruction and recovery needs, in-  
 22 cluding worker protection activities: *Provided further*, That  
 23 these sums may be used to replace grant funds previously  
 24 obligated to the impacted areas: *Provided further*, That of  
 25 the amount provided, up to \$500,000, to remain available

1 until expended, shall be transferred to “Office of Inspector  
2 General” for oversight of activities responding to such con-  
3 sequences: *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 DEPARTMENT OF HEALTH AND HUMAN

8 SERVICES

9 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

10 ADMINISTRATION

11 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

12 For an additional amount for “Health Surveillance  
13 and Program Support”, \$30,000,000, to remain available  
14 until September 30, 2019, for grants, contracts and coop-  
15 erative agreements for behavioral health treatment, crisis  
16 counseling, and other related helplines, and for other simi-  
17 lar programs to provide support to individuals impacted  
18 by Hurricanes Florence and Michael, Typhoon Mangkhut,  
19 Super Typhoon Yutu, and the California wildfires occur-  
20 ring in 2018 in those areas for which a major disaster  
21 or emergency has been declared under section 401 or 501  
22 of the Robert T. Stafford Disaster Relief and Emergency  
23 Assistance Act (42 U.S.C. 5170 and 5191): *Provided*,  
24 That obligations incurred for the purposes provided herein  
25 prior to the date of enactment of this Act may be charged

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

6 ADMINISTRATION FOR CHILDREN AND FAMILIES

7 SOCIAL SERVICES BLOCK GRANT

8 For an additional amount for “Social Services Block  
9 Grant”, \$250,000,000, which shall remain available  
10 through September 30, 2020, for necessary expenses di-  
11 rectly related to the consequences of Hurricanes Florence  
12 and Michael, Typhoon Mangkhut, Super Typhoon Yutu,  
13 and the California wildfires in 2018 in those areas for  
14 which a major disaster or emergency has been declared  
15 under section 401 or 501 of the Robert T. Stafford Dis-  
16 aster Relief and Emergency Assistance Act (42 U.S.C.  
17 5170 and 5191): *Provided*, That notwithstanding section  
18 2002 of the Social Security Act, the distribution of such  
19 amount shall be limited to States directly affected by these  
20 events: *Provided further*, That the time limits in section  
21 2002(c) of the Social Security Act shall not apply to funds  
22 appropriated in this paragraph that are used for renova-  
23 tion, repair or construction: *Provided further*, That funds  
24 appropriated in this paragraph are in addition to the enti-  
25 tlement grants authorized by section 2002(a)(1) of the So-



1 cial Security Act and shall not be available for such enti-  
2 tlement grants: *Provided further*, That in addition to other  
3 uses permitted by title XX of the Social Security Act,  
4 funds appropriated in this paragraph may be used for  
5 health services (including mental health services), and for  
6 costs of renovating, repairing, and construction of health  
7 care facilities (including mental health facilities), child  
8 care centers, and other social services facilities: *Provided*  
9 *further*, That of the amount provided, up to \$1,000,000,  
10 to remain available until expended, shall be transferred to  
11 “Office of the Secretary—Office of Inspector General” for  
12 oversight of activities responding to such hurricanes, ty-  
13 phoons, and wildfires: *Provided further*, That funds appro-  
14 priated in this paragraph shall not be available for costs  
15 that are reimbursed by the Federal Emergency Manage-  
16 ment Agency, under a contract for insurance, or by self-  
17 insurance: *Provided further*, That obligations incurred for  
18 the purposes provided herein prior to the date of enact-  
19 ment of this Act may be charged to funds appropriated  
20 under this heading: *Provided further*, That up to  
21 \$3,000,000 may be used to supplement amounts available  
22 for the necessary expenses of administering subtitle A of  
23 title XX of the Social Security Act: *Provided further*, That  
24 such amount is designated by the Congress as being for  
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 CHILDREN AND FAMILIES SERVICES PROGRAMS

4 For an additional amount for “Children and Families  
5 Services Programs”, \$60,000,000, to remain available  
6 until September 30, 2021, for Head Start programs, in-  
7 cluding making payments under the Head Start Act, for  
8 necessary expenses directly related to the consequences of  
9 Hurricanes Florence and Michael, Typhoon Mangkhut,  
10 Super Typhoon Yutu, and the California wildfires in 2018  
11 in those areas for which a major disaster or emergency  
12 has been declared under section 401 or 501 of the Robert  
13 T. Stafford Disaster Relief and Emergency Assistance Act  
14 (42 U.S.C. 5170 and 5191): *Provided*, That none of the  
15 funds appropriated in this paragraph shall be included in  
16 the calculation of the “base grant” in subsequent fiscal  
17 years, as such term is defined in sections 640(a)(7)(A),  
18 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: *Pro-*  
19 *vided further*, That funds appropriated in this paragraph  
20 are not subject to the allocation requirements of section  
21 640(a) of the Head Start Act: *Provided further*, That  
22 funds appropriated in this paragraph shall not be available  
23 for costs that are reimbursed by the Federal Emergency  
24 Management Agency, under a contract for insurance, or  
25 by self-insurance: *Provided further*, That up to \$2,000,000

1 shall be available for Federal administrative expenses:  
2 *Provided further*, That obligations incurred for the pur-  
3 poses provided herein prior to the date of enactment of  
4 this Act may be charged to funds appropriated under this  
5 heading: *Provided further*, 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 DEPARTMENT OF EDUCATION

10 EDUCATION RECOVERY

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “Education Recovery”  
13 for necessary expenses related to the consequences of Hur-  
14 ricanes Florence and Michael, Typhoon Mangkhut, Super  
15 Typhoon Yutu, the California wildfires in 2018, the No-  
16 vember 2018 Anchorage Earthquake or the volcanic erup-  
17 tion and earthquakes in Hawaii in 2018 in those areas  
18 for which a major disaster or emergency has been declared  
19 under section 401 or 501 of the Robert T. Stafford Dis-  
20 aster Relief and Emergency Assistance Act (42 U.S.C.  
21 5170 and 5191) (referred to under this heading as a “cov-  
22 ered disaster or emergency”), \$165,000,000, to remain  
23 available through September 30, 2019: *Provided*, That  
24 such amount is designated by the Congress as being for  
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: *Provided further*, That such  
 3 assistance may be provided through any of the programs  
 4 authorized under this heading in division B of title VIII  
 5 of Public Law 115–123 (as amended by Public Law 115–  
 6 141), as determined by the Secretary of Education, and  
 7 subject to the terms and conditions that applied to those  
 8 programs, except that references to dates and school years  
 9 in Public Law 115–123 shall be deemed to be the cor-  
 10 responding dates and school years for the covered disaster  
 11 or emergency: *Provided further*, That the Secretary of  
 12 Education may determine the amounts to be used for each  
 13 such program and shall notify the Committees on Appro-  
 14 priations of the House of Representatives and the Senate  
 15 of these amounts not later than 7 days prior to obligation:  
 16 *Provided further*, \$2,000,000 of the funds made available  
 17 under this heading, to remain available until expended,  
 18 shall be transferred to the Office of the Inspector General  
 19 of the Department of Education for oversight of activities  
 20 supported with funds appropriated under this heading,  
 21 and up to \$1,000,000 of the funds made available under  
 22 this heading shall be for program administration.

## 23 GENERAL PROVISIONS—THIS TITLE

24 SEC. 701. (a) Section 1108(g)(5) of the Social Secu-  
 25 rity Act (42 U.S.C. 1308(g)(5)) is amended—

1           (1) in subparagraph (A), by striking “and (E)”  
2           and inserting “(E), and (F)”;

3           (2) in subparagraph (C), in the matter pre-  
4           ceding clause (i), by striking “and (E)” and insert-  
5           ing “and (F)”;

6           (3) by redesignating subparagraph (E) as sub-  
7           paragraph (F);

8           (4) by inserting after subparagraph (D), the  
9           following:

10                 “(E) Subject to subparagraph (F), for the  
11                 period beginning January 1, 2019, and ending  
12                 September 30, 2019, the amount of the in-  
13                 crease otherwise provided under subparagraph  
14                 (A) for the Northern Mariana Islands shall be  
15                 further increased by \$20,000,000 (increased by  
16                 \$16,000,000).”; and

17           (5) in subparagraph (F) (as redesignated by  
18           paragraph (3) of this section)—

19                 (A) by striking “title XIX, during” and in-  
20                 serting “title XIX—

21                         “(i) during”;

22                 (B) by striking “and (D)” and inserting “,  
23                 (D), and (E)”;

24                 (C) by striking “and the Virgin Islands”  
25                 each place it appears and inserting “, the Vir-

1           gin Islands, and the Northern Mariana Is-  
2           lands”;

3           (D) by striking the period at the end and  
4           inserting “; and”; and

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

6                   “(ii) for the period beginning January  
7                   1, 2019, and ending September 30, 2019,  
8                   with respect to payments to Guam and  
9                   American Samoa from the additional funds  
10                  provided under subparagraph (A), the Sec-  
11                  retary shall increase the Federal medical  
12                  assistance percentage or other rate that  
13                  would otherwise apply to such payments to  
14                  100 percent.”.

15          (b) The amounts provided by the amendments made  
16          by subsection (a) are designated by the Congress as being  
17          for an emergency requirement pursuant to section  
18          251(b)(2)(A)(i) of the Balanced Budget and Emergency  
19          Deficit Control Act of 1985.

20          SEC. 702. Not later than 30 days after the date of  
21          enactment of this Act, the Secretaries of Labor, Health  
22          and Human Services, and Education shall provide a de-  
23          tailed spend plan of anticipated uses of funds made avail-  
24          able in this title, including estimated personnel and admin-  
25          istrative costs, to the Committees on Appropriations: *Pro-*

1 *vided*, That such plans shall be updated and submitted  
2 to the Committees on Appropriations every 60 days until  
3 all funds are expended or expire.

4 SEC. 703. The second proviso under the heading  
5 “Hurricane Education Recovery” under the heading “De-  
6 partment of Education” under title VIII of subdivision 1  
7 of division B of the Bipartisan Budget Act of 2018 (Public  
8 Law 115–123; 132 Stat. 95) is amended—

9 (1) in paragraph (2)—

10 (A) in subparagraph (I), by striking “and”  
11 after the semicolon; and

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

13 “(K) assistance provided to an eligible en-  
14 tity under this heading, including assistance  
15 provided to an eligible entity before the date of  
16 enactment of the Supplemental Appropriations  
17 Act, 2019, may be used by the eligible entity  
18 for a purpose described in section 406 of the  
19 Robert T. Stafford Disaster and Relief Emer-  
20 gency Act (42 U.S.C. 5172), notwithstanding  
21 section 102(e)(3) of title IV of division B of  
22 Public Law 109–148 (119 Stat. 2794), if the  
23 eligible entity will receive funds for that pur-  
24 pose under such section 406; and

1           “(L) any duplicative Federal assistance  
2           provided under this heading to an eligible entity  
3           may be retained by the entity and used for  
4           other activities to restart school operations in  
5           accordance with this paragraph;”;

6           (2) in paragraph (9), by striking “and” after  
7           the semicolon;

8           (3) by redesignating paragraph (10) as para-  
9           graph (11); and

10          (4) by inserting after paragraph (9) the fol-  
11          lowing:

12          “(10) amounts available under paragraph (4)  
13          that exceed the amount required to meet the need  
14          for such funds as determined by the Secretary as of  
15          December 31, 2018, shall be available to carry out  
16          paragraph (3); and”:

17          *Provided*, That amounts repurposed pursuant to this sec-  
18          tion that were previously designated by the Congress as  
19          an emergency requirement pursuant to the Balanced  
20          Budget and Emergency Deficit Control Act are designated  
21          by the Congress as being for an emergency requirement  
22          pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
23          et and Emergency Deficit Control Act of 1985.



1 TITLE VIII  
2 LEGISLATIVE BRANCH  
3 GOVERNMENT ACCOUNTABILITY OFFICE  
4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and Ex-  
6 penses”, \$10,000,000, to remain available until expended,  
7 for audits and investigations related to Hurricanes Flor-  
8 ence, Lane, and Michael, Typhoons Yutu and Mangkhut,  
9 the calendar year 2018 wildfires, earthquakes, and volcano  
10 eruptions, and other disasters declared pursuant to the  
11 Robert T. Stafford Disaster Relief and Emergency Assist-  
12 ance Act (42 U.S.C. 5121 et seq.): *Provided*, That, not  
13 later than 90 days after the date of enactment of this Act,  
14 the Government Accountability Office shall submit to the  
15 Committees on Appropriations of the House of Represent-  
16 atives and the Senate a spend plan specifying funding esti-  
17 mates for audits and investigations of any such declared  
18 disasters occurring in 2018 and identifying funding esti-  
19 mates or carryover balances, if any, that may be available  
20 for audits and investigations of any other such declared  
21 disasters: *Provided further*, That such amount is des-  
22 ignated by the Congress as being for an emergency re-  
23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
24 anced Budget and Emergency Deficit Control Act of 1985.

1 TITLE IX  
2 DEPARTMENT OF DEFENSE  
3 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS  
4 For an additional amount for “Military Construction,  
5 Navy and Marine Corps”, \$115,000,000, to remain avail-  
6 able until September 30, 2023, for planning and design  
7 related to the consequences of Hurricanes Florence and  
8 Michael on Navy and Marine Corps installations: *Pro-*  
9 *vided*, That none of the funds shall be available for obliga-  
10 tion until the Committees on Appropriations of the House  
11 of Representatives and the Senate receive a master plan  
12 for the installations and a form 1391 for each specific  
13 project: *Provided further*, That, not later than 60 days  
14 after enactment of this Act, the Secretary of the Navy,  
15 or his designee, shall submit to the Committees on Appro-  
16 priations of the House of Representatives and the Senate  
17 a detailed expenditure plan for funds provided under this  
18 heading: *Provided further*, That such amount is designated  
19 by the Congress as being for an emergency requirement  
20 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
21 et and Emergency Deficit Control Act of 1985.

22 MILITARY CONSTRUCTION, AIR FORCE  
23 For an additional amount for “Military Construction,  
24 Air Force”, \$700,000,000, to remain available until Sep-  
25 tember 30, 2023, for planning and design, and construc-

tion expenses related to the consequences of Hurricane Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations significantly damaged by Hurricane Michael: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for “Military Construction, Army National Guard”, \$42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Direc-

1 tor of the Army National Guard, or his designee, shall  
 2 submit to the Committees on Appropriations of the House  
 3 of Representatives and the Senate a detailed expenditure  
 4 plan for funds provided under this heading: *Provided fur-*  
 5 *ther*, That such funds may be obligated or expended for  
 6 planning and design and military construction projects not  
 7 otherwise authorized by law: *Provided further*, That such  
 8 amount is designated by the Congress as being for an  
 9 emergency requirement pursuant to section  
 10 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
 11 Deficit Control Act of 1985.

## 12 DEPARTMENT OF VETERANS AFFAIRS

### 13 VETERANS HEALTH ADMINISTRATION

#### 14 MEDICAL FACILITIES

#### 15 (INCLUDING TRANSFER OF FUNDS)

16 For an additional amount for “Medical Facilities”,  
 17 \$3,000,000, to remain available until September 30, 2023,  
 18 for necessary expenses related to the consequences of Hur-  
 19 ricanes Florence and Michael and Typhoons Mangkhut  
 20 and Yutu: *Provided*, That the Secretary of Veterans Af-  
 21 fairs, upon determination that such action is necessary to  
 22 address needs as a result of the consequences of Hurri-  
 23 canes Florence and Michael and Typhoons Mangkhut and  
 24 Yutu, may transfer such funds to any discretionary ac-  
 25 count of the Department of Veterans Affairs: *Provided*

1 *further*, That before a transfer may take place, the Sec-  
 2 retary of Veterans Affairs shall submit notice thereof to  
 3 the Committee on Appropriations of the House of Rep-  
 4 resentatives and the Senate: *Provided further*, That none  
 5 of these funds shall be available for obligation until the  
 6 Secretary of Veterans Affairs submits to the Committees  
 7 on Appropriations of the House of Representatives and the  
 8 Senate a detailed expenditure plan for funds provided  
 9 under this heading: *Provided further*, That such amount  
 10 is designated by the Congress as being for an emergency  
 11 requirement pursuant to section 251(b)(2)(A)(i) of the  
 12 Balanced Budget and Emergency Deficit Control Act of  
 13 1985.

## 14 TITLE X

### 15 DEPARTMENT OF TRANSPORTATION

#### 16 FEDERAL TRANSIT ADMINISTRATION

#### 17 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

18 For an additional amount for the “Public Transpor-  
 19 tation Emergency Relief Program” as authorized under  
 20 section 5324 of title 49, United States Code, \$10,542,000  
 21 to remain available until expended, for transit systems af-  
 22 fected by major declared disasters occurring in calendar  
 23 year 2018: *Provided*, That not more than three-quarters  
 24 of 1 percent of the funds for public transportation emer-  
 25 gency relief shall be available for administrative expenses

1 and ongoing program management oversight as authorized  
2 under sections 5334 and 5338(f)(2) of such title and shall  
3 be in addition to any other appropriations for such pur-  
4 pose: *Provided further*, That such amount is designated  
5 by the Congress as being for an emergency requirement  
6 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
7 et and Emergency Deficit Control Act of 1985.

8 FEDERAL AVIATION ADMINISTRATION

9 OPERATIONS

10 (AIRPORT AND AIRWAY TRUST FUND)

11 Of the amounts made available for “Federal Aviation  
12 Administration—Operations” in division B of the Bipar-  
13 tisan Budget Act of 2018 (Public Law 115–123), up to  
14 \$18,000,000 shall also be available for necessary expenses  
15 related to the consequences of major declared disasters oc-  
16 ccurring in calendar year 2018: *Provided*, That amounts  
17 repurposed under this heading that were previously des-  
18 ignated by the Congress as an emergency requirement  
19 pursuant to the Balanced Budget and Emergency Deficit  
20 Control Act of 1985 are designated by the Congress as  
21 an emergency requirement pursuant to section  
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
23 Deficit Control Act of 1985.

1           FEDERAL HIGHWAY ADMINISTRATION  
2                   EMERGENCY RELIEF PROGRAM

3       For an additional amount for the Emergency Relief  
4 Program as authorized under section 125 of title 23,  
5 United States Code, \$1,650,000,000, to remain available  
6 until expended: *Provided*, 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.

10       DEPARTMENT OF HOUSING AND URBAN  
11                   DEVELOPMENT

12       COMMUNITY PLANNING AND DEVELOPMENT  
13                   COMMUNITY DEVELOPMENT FUND  
14                   (INCLUDING TRANSFERS OF FUNDS)

15       For an additional amount for “Community Develop-  
16 ment Fund”, \$1,160,000,000 (increased by \$50,000,000),  
17 to remain available until expended, for necessary expenses  
18 for activities authorized under title I of the Housing and  
19 Community Development Act of 1974 (42 U.S.C. 5301 et  
20 seq.) related to disaster relief, long-term recovery, restora-  
21 tion of infrastructure and housing, economic revitalization,  
22 and mitigation in the most impacted and distressed areas  
23 resulting from a major disaster that occurred in 2018 (ex-  
24 cept as otherwise provided under this heading) pursuant  
25 to the Robert T. Stafford Disaster Relief and Emergency

1 Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That  
2 funds shall be awarded directly to the State, unit of gen-  
3 eral local government, or Indian tribe (as such term is de-  
4 fined in section 102 of the Housing and Community De-  
5 velopment Act of 1974) at the discretion of the Secretary:  
6 *Provided further*, That of the amounts made available  
7 under this heading \$100,000,000 (increased by  
8 \$50,000,000) shall be allocated to meet unmet infrastruc-  
9 ture needs for grantees that received allocations for disas-  
10 ters that occurred in 2017 (excluding disasters specified  
11 in section 501(a) of title V of this Act) under this heading  
12 of division B of Public Law 115–56 and title XI of Public  
13 Law 115–123: *Provided further*, That of the amounts pro-  
14 vided in the previous proviso, the Secretary’s unmet infra-  
15 structure needs determinations shall not take into account  
16 mitigation-specific allocations: *Provided further*, That any  
17 funds made available under this heading and under the  
18 same heading in Public Law 115–254 that remain avail-  
19 able, after the funds under such headings have been allo-  
20 cated for necessary expenses for activities authorized  
21 under such headings, shall be allocated to grantees, for  
22 mitigation activities in the most impacted and distressed  
23 areas resulting from a major disaster that occurred in  
24 2018: *Provided further*, That such allocations shall be  
25 made in the same proportion that the amount of funds



1 each grantee received under this Act and the same heading  
2 in division I of Public Law 115–254 bears to the amount  
3 of all funds provided to all grantees that received alloca-  
4 tions for disasters that occurred in 2018: *Provided further*,  
5 That of the amounts made available under the text pre-  
6 ceding the first proviso under this heading and under the  
7 same heading in Public Law 115–254, the Secretary shall  
8 allocate to all such grantees an aggregate amount not less  
9 than 33 percent of the sum of such amounts of funds with-  
10 in 120 days after the enactment of this Act based on the  
11 best available data, and shall allocate no less than 100  
12 percent of such funds by no later than 180 days after the  
13 enactment of this Act: *Provided further*, That the Sec-  
14 retary shall not prohibit the use of funds made available  
15 under this heading and the same heading in Public Law  
16 115–254 for non-Federal share as authorized by section  
17 105(a)(9) of the Housing and Community Development  
18 Act of 1974 (42 U.S.C. 5305(a)(9)): *Provided further*,  
19 That of the amounts made available under this heading,  
20 grantees may establish grant programs to assist small  
21 businesses for working capital purposes to aid in recovery:  
22 *Provided further*, That as a condition of making any grant,  
23 the Secretary shall certify in advance that such grantee  
24 has in place proficient financial controls and procurement  
25 processes and has established adequate procedures to pre-

1 vent any duplication of benefits as defined by section 312  
2 of the Robert T. Stafford Disaster Relief and Emergency  
3 Assistance Act (42 U.S.C. 5155), to ensure timely expend-  
4 iture of funds, to maintain comprehensive websites regard-  
5 ing all disaster recovery activities assisted with these  
6 funds, and to detect and prevent waste, fraud, and abuse  
7 of funds: *Provided further*, That with respect to any such  
8 duplication of benefits, the Secretary shall act in accord-  
9 ance with section 1210 of Public Law 115–254 (132 Stat.  
10 3442) and section 312 of the Robert T. Stafford Disaster  
11 Relief and Emergency Assistance Act (42 U.S.C. 5155):  
12 *Provided further*, That the Secretary shall require grantees  
13 to maintain on a public website information containing  
14 common reporting criteria established by the Department  
15 that permits individuals and entities awaiting assistance  
16 and the general public to see how all grant funds are used,  
17 including copies of all relevant procurement documents,  
18 grantee administrative contracts and details of ongoing  
19 procurement processes, as determined by the Secretary:  
20 *Provided further*, That prior to the obligation of funds a  
21 grantee shall submit a plan to the Secretary for approval  
22 detailing the proposed use of all funds, including criteria  
23 for eligibility and how the use of these funds will address  
24 long-term recovery and restoration of infrastructure and  
25 housing, economic revitalization, and mitigation in the

1 most impacted and distressed areas: *Provided further*,  
2 That such funds may not be used for activities reimbursed  
3 by, or for which funds have been made available by, the  
4 Federal Emergency Management Agency or the Army  
5 Corps of Engineers, in excess of the authorized amount  
6 of the project or its components: *Provided further*, That  
7 funds allocated under this heading shall not be considered  
8 relevant to the non-disaster formula allocations made pur-  
9 suant to section 106 of the Housing and Community De-  
10 velopment Act of 1974 (42 U.S.C. 5306): *Provided fur-*  
11 *ther*, That a State, unit of general local government, or  
12 Indian tribe may use up to 5 percent of its allocation for  
13 administrative costs: *Provided further*, That the first pro-  
14 viso under this heading in the Supplemental Appropria-  
15 tions for Disaster Relief Requirements Act, 2018 (division  
16 I of Public Law 115–254) is amended by striking “State  
17 or unit of general local government” and inserting “State,  
18 unit of general local government, or Indian tribe (as such  
19 term is defined in section 102 of the Housing and Commu-  
20 nity Development Act of 1974 (42 U.S.C. 5302))”: *Pro-*  
21 *vided further*, That the sixth proviso under this heading  
22 in the Supplemental Appropriations for Disaster Relief  
23 Requirements Act, 2018 (division I of Public Law 115–  
24 254) is amended by striking “State or subdivision thereof”  
25 and inserting “State, unit of general local government, or

1 Indian tribe (as such term is defined in section 102 of  
2 the Housing and Community Development Act of 1974  
3 (42 U.S.C. 5302))”: *Provided further*, That in admin-  
4 istering the funds under this heading, the Secretary of  
5 Housing and Urban Development may waive, or specify  
6 alternative requirements for, any provision of any statute  
7 or regulation that the Secretary administers in connection  
8 with the obligation by the Secretary or the use by the re-  
9 cipient of these funds (except for requirements related to  
10 fair housing, nondiscrimination, labor standards, and the  
11 environment), if the Secretary finds that good cause exists  
12 for the waiver or alternative requirement and such waiver  
13 or alternative requirement would not be inconsistent with  
14 the overall purpose of title I of the Housing and Commu-  
15 nity Development Act of 1974: *Provided further*, That,  
16 notwithstanding the preceding proviso, recipients of funds  
17 provided under this heading that use such funds to supple-  
18 ment Federal assistance provided under section 402, 403,  
19 404, 406, 407, 408 (c)(4), or 502 of the Robert T. Staf-  
20 ford Disaster Relief and Emergency Assistance Act (42  
21 U.S.C. 5121 et seq.) may adopt, without review or public  
22 comment, any environmental review, approval, or permit  
23 performed by a Federal agency, and such adoption shall  
24 satisfy the responsibilities of the recipient with respect to  
25 such environmental review, approval or permit: *Provided*

1 *further*, That, notwithstanding section 104(g)(2) of the  
2 Housing and Community Development Act of 1974 (42  
3 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of  
4 a request for release of funds and certification, imme-  
5 diately approve the release of funds for an activity or  
6 project assisted under this heading if the recipient has  
7 adopted an environmental review, approval or permit  
8 under the preceding proviso or the activity or project is  
9 categorically excluded from review under the National En-  
10 vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):  
11 *Provided further*, That the Secretary shall publish via no-  
12 tice in the Federal Register any waiver, or alternative re-  
13 quirement, to any statute or regulation that the Secretary  
14 administers pursuant to title I of the Housing and Com-  
15 munity Development Act of 1974 no later than 5 days be-  
16 fore the effective date of such waiver or alternative re-  
17 quirement: *Provided further*, That of the amounts made  
18 available under this heading, up to \$5,000,000 shall be  
19 made available for capacity building and technical assist-  
20 ance, including assistance on contracting and procurement  
21 processes, to support States, units of general local govern-  
22 ment, or Indian tribes (and their subrecipients) that re-  
23 ceive allocations pursuant to this heading, received dis-  
24 aster recovery allocations under the same heading in Pub-  
25 lic Law 115–254, or may receive similar allocations for

1 disaster recovery in future appropriations Acts: *Provided*  
2 *further*, That of the amounts made available under this  
3 heading and under the same heading in Public Law 115–  
4 254, up to \$2,500,000 shall be transferred, in aggregate,  
5 to “Department of Housing and Urban Development—  
6 Program Office Salaries and Expenses—Community Plan-  
7 ning and Development” for necessary costs, including in-  
8 formation technology costs, of administering and over-  
9 seeing the obligation and expenditure of amounts under  
10 this heading: *Provided further*, That the amount specified  
11 in the preceding proviso shall be combined with funds ap-  
12 propriated under the same heading and for the same pur-  
13 pose in Public Law 115–254 and the aggregate of such  
14 amounts shall be available for any of the same such pur-  
15 poses specified under this heading or the same heading  
16 in Public Law 115–254 without limitation: *Provided fur-*  
17 *ther*, That such amount is designated by the Congress as  
18 being for an emergency requirement pursuant to section  
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985.

21           GENERAL PROVISION—THIS TITLE

22           SEC. 1001. (a) Amounts previously made available  
23 for activities authorized under title I of the Housing and  
24 Community Development Act of 1974 (42 U.S.C. 5301 et  
25 seq.) related to disaster relief, long-term recovery, restora-

1 tion of infrastructure and housing, economic revitalization,  
2 and mitigation in the most impacted and distressed areas  
3 resulting from a major disaster, including funds provided  
4 under section 145 of division C of Public Law 114–223,  
5 section 192 of division C of Public Law 114–223 (as  
6 added by section 101(3) of division A of Public Law 114–  
7 254), section 421 of division K of Public Law 115–31,  
8 and any mitigation funding provided under the heading  
9 “Department of Housing and Urban Development—Com-  
10 munity Planning and Development—Community Develop-  
11 ment Fund” of Public Law 115–123, that were allocated  
12 in response to Hurricane Matthew, may be used inter-  
13 changeably and without limitation for the same activities  
14 in the most impacted and distressed areas related to Hur-  
15 ricane Florence. In addition, any funds provided under the  
16 heading “Department of Housing and Urban Develop-  
17 ment—Community Planning and Development—Commu-  
18 nity Development Fund” in this Act or in division I of  
19 Public Law 115–254 that are allocated in response to  
20 Hurricane Florence may be used interchangeably and  
21 without limitation for the same activities in the most im-  
22 pacted and distressed areas related to Hurricane Matthew.  
23 Until HUD publishes the Federal Register Notice imple-  
24 menting this provision, grantees may submit for HUD ap-  
25 proval revised plans for the use of funds related to Hurri-

1 cane Matthew that expand the eligible beneficiaries of ex-  
2 isting programs contained in such previously approved  
3 plans to include those impacted by Hurricane Florence.  
4 Approval of any such revised plans shall include the execu-  
5 tion of revised grant terms and conditions as necessary.  
6 Once the implementing Notice is published, any additional  
7 action plan revisions shall follow the requirements con-  
8 tained therein.

9 (b) Amounts made available for administrative costs  
10 for activities authorized under title I of the Housing and  
11 Community Development Act of 1974 (42 U.S.C. 5301 et  
12 seq.) related to disaster relief, long-term recovery, restora-  
13 tion of infrastructure and housing, economic revitalization,  
14 and mitigation in the most impacted and distressed areas  
15 under this Act or any future Act, and amounts previously  
16 provided under section 420 of division L of Public Law  
17 114–113, section 145 of division C of Public Law 114–  
18 223, section 192 of division C of Public Law 114–223 (as  
19 added by section 101(3) of division A of Public Law 114–  
20 254), section 421 of division K of Public Law 115–31,  
21 and under the heading “Department of Housing and  
22 Urban Development—Community Planning and Develop-  
23 ment—Community Development Fund” of division B of  
24 Public Law 115–56, Public Law 115–123, and Public  
25 Law 115–254, shall be available for eligible administrative



1 costs of the grantee related to any disaster relief funding  
2 identified in this subsection without regard to the par-  
3 ticular disaster appropriation from which such funds origi-  
4 nated.

5 (c) The additional uses pursuant to this section for  
6 amounts that were previously designated by the Congress,  
7 respectively, as an emergency requirement or as being for  
8 disaster relief pursuant to the Balanced Budget and  
9 Emergency Deficit Control Act are designated by the Con-  
10 gress as being for an emergency requirement pursuant to  
11 section 251(b)(2)(A)(i) of the Balanced Budget and  
12 Emergency Deficit Control Act of 1985 or as being for  
13 disaster relief pursuant to section 251(b)(2)(D) of the  
14 Balanced Budget and Emergency Deficit Control Act of  
15 1985.

## 16 TITLE XI

### 17 GENERAL PROVISION—THIS ACT

18 SEC. 1101. Each amount designated in this Act by  
19 the Congress as being for an emergency requirement pur-  
20 suant to section 251(b)(2)(A)(i) of the Balanced Budget  
21 and Emergency Deficit Control Act of 1985 shall be avail-  
22 able (or rescinded or transferred, if applicable) only if the  
23 President subsequently so designates all such amounts  
24 and transmits such designations to the Congress.

1       SEC. 1102. None of the funds made available by this  
2 Act for the Department of Homeland Security may be  
3 used for the construction or expansion of immigration de-  
4 tention facilities.

5       SEC. 1103. None of the funds appropriated or other-  
6 wise made available by this Act for the Army Corps of  
7 Engineers or Department of Homeland Security may be  
8 obligated or expended to plan, develop, or construct a new  
9 physical barrier along the Southwest border.

10           TITLE XII—FURTHER CONTINUING  
11                           APPROPRIATIONS

12       SEC. 1201. The Continuing Appropriations Act, 2019  
13 (division C of Public Law 115–245) is further amended  
14 by striking the date specified in section 105(3) and insert-  
15 ing “February 8, 2019”.

16       This Act may be cited as the “Supplemental Appro-  
17 priations Act, 2019”.

Passed the House of Representatives January 16,  
2019.

Attest:

KAREN L. HAAS,  
*Clerk.*



**Calendar No. 15**

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 268**

**AN ACT**

Making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

JANUARY 22, 2019

Read the second time and placed on the calendar