

**HOUSE AMENDMENT TO SENATE AMENDMENT TO
TEXT OF H.R. 1
OFFERED BY MR. ROGERS OF KENTUCKY**

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

1 TITLE I
2 DEPARTMENT OF AGRICULTURE
3 DOMESTIC FOOD PROGRAMS
4 FOOD AND NUTRITION SERVICE
5 COMMODITY ASSISTANCE PROGRAM

6 For an additional amount for “Commodity Assistance
7 Program” for the emergency food assistance program as
8 authorized by section 27(a) of the Food and Nutrition Act
9 of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the
10 Emergency Food Assistance Act of 1983 (7 U.S.C.
11 7508(a)(1)), \$6,000,000: *Provided*, That notwithstanding
12 any other provisions of the Emergency Food Assistance
13 Act of 1983, the Secretary of Agriculture may allocate ad-
14 ditional funds and funds for administrative expenses from
15 resources specifically appropriated, transferred, or repro-
16 grammed to restore to States resources used to assist fam-
17 ilies and individuals displaced by Hurricane Sandy among

1 the States without regard to sections 204 and 214 of such
2 Act (7 U.S.C. 7508, 7515): *Provided further*, That such
3 amount is designated by the Congress as being for an
4 emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7 TITLE II

8 DEPARTMENT OF THE ARMY

9 CORPS OF ENGINEERS—CIVIL

10 INVESTIGATIONS

11 For an additional amount for “Investigations” for
12 necessary expenses related to the consequences of Hurri-
13 cane Sandy, \$20,000,000, to remain available until ex-
14 pended to conduct studies of flood and storm damage re-
15 duction related to natural disasters: *Provided*, That using
16 \$19,500,000 of the funds provided herein, the Secretary
17 of the Army shall conduct, at full Federal expense, a com-
18 prehensive study to address the flood risks of vulnerable
19 coastal populations in areas impacted by Hurricane Sandy
20 within the boundaries of the North Atlantic Division of
21 the United States Army Corps of Engineers: *Provided fur-*
22 *ther*, That an interim report with an assessment of author-
23 ized Corps projects for reducing flooding and storm risks
24 in the affected area that have been constructed or are
25 under construction, including construction cost estimates,

1 shall be submitted to the Committees on Appropriations
2 of the House of Representatives and the Senate not later
3 than March 1, 2013: *Provided further*, That an interim
4 report identifying any previously authorized but
5 unconstructed Corps project and any project under study
6 by the Corps for reducing flooding and storm damage
7 risks in the affected area, including updated construction
8 cost estimates, that are, or would be, consistent with the
9 comprehensive study shall be submitted to the appropriate
10 congressional committees not later than May 1, 2013: *Pro-*
11 *vided further*, That a final report shall be submitted to
12 the appropriate congressional committees not later than
13 24 months after the date of enactment of this Act: *Pro-*
14 *vided further*, That as a part of the study, the Secretary
15 shall identify those activities that warrant additional anal-
16 ysis by the Corps, as well as institutional and other bar-
17 riers to providing protection to the affected coastal areas:
18 *Provided further*, That the Secretary shall conduct the
19 study in coordination with other Federal agencies, and
20 State, local, and Tribal officials to ensure consistency with
21 other plans to be developed, as appropriate: *Provided fur-*
22 *ther*, That using \$500,000 of the funds provided herein,
23 the Secretary shall conduct, at full Federal expense, an
24 evaluation of the performance of existing projects con-
25 structed by the Corps and damaged as a consequence of

1 Hurricane Sandy for the purposes of determining their ef-
2 fectiveness and making recommendations for improve-
3 ments to such projects: *Provided further*, That the
4 amounts in this paragraph are designated by the Congress
5 as being for an emergency requirement pursuant to sec-
6 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985: *Provided further*, That
8 the Assistant Secretary of the Army for Civil Works shall
9 provide a monthly report to the Committees on Appropria-
10 tions of the House of Representatives and the Senate de-
11 tailing the allocation and obligation of these funds, begin-
12 ning not later than 60 days after the date of enactment
13 of this Act.

14 CONSTRUCTION

15 For an additional amount for “Construction” for nec-
16 essary expenses related to the consequences of Hurricane
17 Sandy, \$9,000,000, to remain available until expended for
18 repairs to projects that were under construction and dam-
19 aged as a consequence of Hurricane Sandy: *Provided*,
20 That such amount is designated by the Congress as being
21 for an emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985: *Provided further*, That the
24 Assistant Secretary of the Army for Civil Works shall pro-
25 vide a monthly report to the Committees on Appropria-

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

4 OPERATION AND MAINTENANCE

5 For an additional amount for “Operation and Main-
6 tenance” for necessary expenses related to the con-
7 sequences of Hurricane Sandy, \$742,000,000, to remain
8 available until expended to dredge Federal navigation
9 channels, and repair damage to Corps projects: *Provided*,
10 That such amount is designated by the Congress as being
11 for an emergency requirement pursuant to section
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985: *Provided further*, That the
14 Assistant Secretary of the Army for Civil Works shall pro-
15 vide a monthly report to the Committees on Appropria-
16 tions of the House of Representatives and the Senate de-
17 tailing the allocation and obligation of these funds, begin-
18 ning not later than 60 days after enactment of this Act.

19 FLOOD CONTROL AND COASTAL EMERGENCIES

20 For an additional amount for “Flood Control and
21 Coastal Emergencies” for necessary expenses related to
22 the consequences of Hurricane Sandy, \$582,000,000, to
23 remain available until expended to support emergency op-
24 erations, repairs, and other activities, as authorized by
25 law: *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: *Provided further*,
4 That the Assistant Secretary of the Army for Civil Works
5 shall provide a monthly report to the Committees on Ap-
6 propriations of the House of Representatives and the Sen-
7 ate detailing the allocation and obligation of these funds,
8 beginning not later than 60 days after enactment of this
9 Act.

10 TITLE III

11 SMALL BUSINESS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For an additional amount for “Salaries and Ex-
14 penses”, \$10,000,000 for grants to or cooperative agree-
15 ments with organizations to provide technical assistance
16 related to disaster recovery, response, and long term resil-
17 iency to small businesses that are recovering from Hurri-
18 cane Sandy: *Provided*, That the Small Business Adminis-
19 tration shall expedite the delivery of assistance in disaster-
20 affected areas: *Provided further*, That the Administrator
21 of the Small Business Administration may waive the
22 matching requirements under section 21(a)(4)(A) and
23 29(c) of the Small Business Act for any grant made using
24 funds made available under this heading: *Provided further*,
25 That no later than 30 days after the date of enactment

1 of this Act, or no less than 7 days prior to obligation of
2 funds, whichever occurs earlier, the Administrator of the
3 Small Business Administration shall submit to the Com-
4 mittees on Appropriations of the House of Representatives
5 and the Senate a detailed expenditure plan for funds pro-
6 vided under this heading: *Provided further*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 OFFICE OF INSPECTOR GENERAL

12 For an additional amount for “Office of Inspector
13 General” for necessary expenses related to the con-
14 sequences of Hurricane Sandy, \$1,000,000, to remain
15 available until September 30, 2014: *Provided*, That such
16 amount is designated by the Congress as being for an
17 emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 DISASTER LOANS PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For an additional amount for “Disaster Loans Pro-
23 gram Account” for the cost of direct loans authorized by
24 section 7(b) of the Small Business Act, for necessary ex-
25 penses related to the consequences of Hurricane Sandy,

1 \$100,000,000, to remain available until expended: *Pro-*
2 *vided*, That such costs, including the cost of modifying
3 such loans, shall be as defined in section 502 of the Con-
4 gressional Budget Act of 1974: *Provided further*, That in
5 addition, for direct administrative expenses of loan making
6 and servicing to carry out the direct loan program author-
7 ized by section 7(b) of the Small Business Act in response
8 to Hurricane Sandy, an additional \$50,000,000, to remain
9 available until expended, which may be transferred to and
10 merged with the appropriations for Salaries and Expenses:
11 *Provided further*, That such amounts are 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 TITLE IV

16 DEPARTMENT OF HOMELAND SECURITY

17 COAST GUARD

18 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Acquisition, Construc-
21 tion, and Improvements” for necessary expenses related
22 to the consequences of Hurricane Sandy, \$143,899,000,
23 to remain available until September 30, 2014: *Provided*,
24 That such amount is designated by the Congress as being
25 for an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985: *Provided further*, That not-
3 withstanding the transfer limitation contained in section
4 503 of division D of Public Law 112–74, such funding
5 may be transferred to other Coast Guard appropriations
6 after notification as required in accordance with such sec-
7 tion: *Provided further*, That a description of all facilities
8 and property to be reconstructed and restored, with asso-
9 ciated costs and time lines, shall be submitted to the Com-
10 mittees on Appropriations of the House of Representatives
11 and the Senate no later than 90 days after the date of
12 enactment of this Act.

13 FEDERAL EMERGENCY MANAGEMENT AGENCY

14 DISASTER RELIEF FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 For an additional amount for the “Disaster Relief
17 Fund” for major disasters declared pursuant to the Rob-
18 ert T. Stafford Disaster Relief and Emergency Assistance
19 Act (42 U.S.C. 5121 et seq.), \$5,379,000,000, to remain
20 available until expended, of which \$3,000,000 shall be
21 transferred to the Department of Homeland Security Of-
22 fice of Inspector General for audits and investigations re-
23 lated to disasters: *Provided*, That such amount is des-
24 ignated by the Congress as being for disaster relief pursu-
25 ant to section 251(b)(2)(D) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985: *Provided further*,
2 That the Administrator of the Federal Emergency Man-
3 agement Agency shall publish on the Agency's website not
4 later than 24 hours after an award of a public assistance
5 grant under section 406 of the Robert T. Stafford Dis-
6 aster Relief and Emergency Assistance Act (42 U.S.C.
7 5172) that is in excess of \$1,000,000, the specifics of each
8 such grant award: *Provided further*, That for any mission
9 assignment or mission assignment task order to another
10 Federal department or agency regarding a major disaster,
11 not later than 24 hours after the issuance of a mission
12 assignment or task order in excess of \$1,000,000, the Ad-
13 ministrator shall publish on the Agency's website the fol-
14 lowing: the name of the impacted State and the disaster
15 declaration for such State, the assigned agency, the assist-
16 ance requested, a description of the disaster, the total cost
17 estimate, and the amount obligated: *Provided further*,
18 That not later than 10 days after the last day of each
19 month until the mission assignment or task order is com-
20 pleted and closed out, the Administrator shall update any
21 changes to the total cost estimate and the amount obli-
22 gated: *Provided further*, That for a disaster declaration re-
23 lated to Hurricane Sandy, the Administrator shall submit
24 to the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate, not later than 5 days after

1 the first day of each month beginning after the date of
2 enactment of this Act, and shall publish on the Agency’s
3 website not later than 10 days after the first day of each
4 such month, an estimate or actual amount, if available,
5 for the current fiscal year of the cost of the following cat-
6 egories of spending: public assistance, individual assist-
7 ance, operations, mitigation, administrative, and any other
8 relevant category (including emergency measures and dis-
9 aster resources): *Provided further*, That not later than 10
10 days after the first day of each month beginning after the
11 date of enactment of this Act, the Administrator shall
12 publish on the Agency’s website the report (referred to as
13 the Disaster Relief Monthly Report) as required by Public
14 Law 112–74.

15 SCIENCE AND TECHNOLOGY

16 RESEARCH, DEVELOPMENT, ACQUISITION, AND

17 OPERATIONS

18 For an additional amount for “Research, Develop-
19 ment, Acquisition, and Operations”, for necessary ex-
20 penses related to the consequences of Hurricane Sandy,
21 \$585,000, to remain available until September 30, 2013:
22 *Provided*, That such amount is designated by the Congress
23 as being for an emergency requirement pursuant to sec-
24 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
25 gency Deficit Control Act of 1985.

1 DOMESTIC NUCLEAR DETECTION OFFICE
2 SYSTEMS ACQUISITION

3 For an additional amount for “Systems Acquisition”,
4 for necessary expenses related to the consequences of Hur-
5 ricane Sandy, \$3,869,000, to remain available until Sep-
6 tember 30, 2014: *Provided*, That such amount is des-
7 ignated 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 GENERAL PROVISIONS—THIS TITLE

11 SEC. 401. (a) Section 1309(a) of the National Flood
12 Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended
13 by striking “\$20,725,000,000” and inserting
14 “\$30,425,000,000”.

15 (b) The amount provided by this section 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 and as an
19 emergency pursuant to section 4(g) of the Statutory Pay-
20 As-You-Go Act of 2010.

21 (c) The amendment made by subsection (a) shall be
22 considered to have taken effect on December 12, 2012.

23 SEC. 402. Funds made available by Public Law 109–
24 88 for carrying out activities authorized under section 417
25 of the Robert T. Stafford Disaster Relief and Emergency

1 Assistance Act (42 U.S.C. 5184) may be used until ex-
2 pended to provide assistance under section 417 of that Act
3 to local governments in areas eligible to receive such as-
4 sistance pursuant to a major disaster declaration by the
5 President for Hurricane Sandy.

6

TITLE V

7

DEPARTMENT OF THE INTERIOR

8

FISH AND WILDLIFE SERVICE

9

CONSTRUCTION

10 For an additional amount for “Construction” for nec-
11 essary expenses related to the consequences of Hurricane
12 Sandy, \$49,875,000, to remain available until expended:
13 *Provided*, That such amount is designated by the Congress
14 as being for an emergency requirement pursuant to sec-
15 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985.

17

NATIONAL PARK SERVICE

18

CONSTRUCTION

19 For an additional amount for “Construction” for nec-
20 essary expenses related to the consequences of Hurricane
21 Sandy, \$234,000,000, to remain available until expended:
22 *Provided*, That such amount is designated by the Congress
23 as being for an emergency requirement pursuant to sec-
24 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
25 gency Deficit Control Act of 1985.

1 BUREAU OF SAFETY AND ENVIRONMENTAL
2 ENFORCEMENT
3 OIL SPILL RESEARCH

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

11 TITLE VI
12 DEPARTMENT OF HEALTH AND HUMAN
13 SERVICES
14 OFFICE OF THE SECRETARY
15 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
16 FUND
17 (INCLUDING TRANSFERS OF FUNDS)

18 For an additional amount for “Public Health and So-
19 cial Services Emergency Fund” for disaster response and
20 recovery, and other expenses directly related to Hurricane
21 Sandy, including making payments under the Head Start
22 Act and additional payments for distribution as provided
23 for under the “Social Services Block Grant Program”,
24 \$100,000,000, to remain available until September 30,
25 2014: *Provided*, That not less than \$25,000,000 shall be

1 transferred to “Children and Families Services Programs”
2 for the Head Start program for the purposes provided
3 herein: *Provided further*, That not less than \$25,000,000
4 shall be transferred to “Social Services Block Grant” for
5 the purposes provided herein: *Provided further*, That not
6 less than \$2,000,000 shall be transferred to the Depart-
7 ment of Health and Human Services (“HHS”) “Office of
8 Inspector General” to perform oversight, accountability,
9 and evaluation of programs, projects, or activities sup-
10 ported with the funds provided for the purposes provided
11 herein: *Provided further*, That notwithstanding any other
12 provision of law, the distribution of any amount shall be
13 limited to the States of New York and New Jersey, except
14 that funds provided to “Substance Abuse and Mental
15 Health Services Administration” may be distributed to
16 other States, but only if such funds are for grants, con-
17 tracts, and cooperative agreements for behavioral health
18 treatment, crisis counseling, and other related helplines,
19 and for other similar programs to provide support to dis-
20 located residents of New York and New Jersey: *Provided*
21 *further*, That none of the funds appropriated in this para-
22 graph shall be included in the calculation of the “base
23 grant” in subsequent fiscal years, as such term is defined
24 in sections 640(a)(7)(A), 641(A)(h)(1)(B), or 644(d)(3)
25 of the Head Start Act: *Provided further*, That funds ap-

1 appropriated in this paragraph are not subject to the alloca-
2 tion requirements of section 640(a) of the Head Start Act:
3 *Provided further*, That funds appropriated in this para-
4 graph are in addition to the entitlement grants authorized
5 by section 2002(a)(1) of the Social Security Act and shall
6 not be available for such entitlement grants: *Provided fur-*
7 *ther*, That funds appropriated in this paragraph may be
8 transferred by the Secretary of HHS (“Secretary”) to ac-
9 counts within HHS, and shall be available only for the
10 purposes provided in this paragraph: *Provided further*,
11 That the transfer authority provided in this paragraph is
12 in addition to any other transfer authority available in this
13 or any other Act for fiscal year 2013: *Provided further*,
14 That 15 days prior to the transfer of funds appropriated
15 in this paragraph, the Secretary shall notify the Commit-
16 tees on Appropriations of the House of Representatives
17 and the Senate of any such transfer and the planned uses
18 of the funds: *Provided further*, That obligations incurred
19 for the purposes provided herein prior to the date of enact-
20 ment of this Act may be charged to funds appropriated
21 by this paragraph: *Provided further*, That funds appro-
22 priated in this paragraph and transferred to the National
23 Institutes of Health for the purpose of supporting the re-
24 pair or rebuilding of non-Federal biomedical or behavioral
25 research facilities damaged as a result of Hurricane Sandy

1 shall be used to award grants or contracts for such pur-
2 pose under section 404I of the Public Health Service Act:
3 *Provided further*, That section 481A(c)(2) of such Act does
4 not apply to the use of funds described in the preceding
5 proviso: *Provided further*, That funds appropriated in this
6 paragraph shall not be available for costs that are reim-
7 bursed by the Federal Emergency Management Agency,
8 under a contract for insurance, or by self-insurance: *Pro-*
9 *vided further*, That such amounts are designated by the
10 Congress as being for an emergency requirement pursuant
11 to section 251(b)(2)(A)(i) of the Balanced Budget and
12 Emergency Deficit Control Act of 1985.

13 RELATED AGENCIES

14 SOCIAL SECURITY ADMINISTRATION

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Limitation on Admin-
18 istrative Expenses”, \$2,000,000, for expenses directly re-
19 lated to Hurricane Sandy, which shall be derived from the
20 unobligated balances that remain available under such
21 heading for the Social Security Administration for infor-
22 mation technology and telecommunications hardware and
23 software infrastructure: *Provided*, That such amounts are
24 designated by the Congress as being for an emergency re-

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

3

TITLE VII

4

DEPARTMENT OF DEFENSE

5

MILITARY CONSTRUCTION

6

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

7 For an additional amount for “Military Construction,
8 Army National Guard” for necessary expenses related to
9 the consequences of Hurricane Sandy, \$24,235,000, to re-
10 main available until September 30, 2017: *Provided*, That
11 none of the funds made available to the Army National
12 Guard for recovery efforts related to Hurricane Sandy in
13 this Act shall be available for obligation until the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate receive form 1391 for each specific re-
16 quest: *Provided further*, That notwithstanding any other
17 provision of law, such funds may be obligated to carry out
18 military construction projects not otherwise authorized by
19 law: *Provided further*, That such amount is designated by
20 the Congress as being for an emergency requirement pur-
21 suant to section 251(b)(2)(A)(i) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

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

4 For an additional amount for “Medical Services” for
5 necessary expenses related to the consequences of Hurri-
6 cane Sandy, \$21,000,000, to remain available until Sep-
7 tember 30, 2014: *Provided*, That such amount is des-
8 ignated 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 MEDICAL FACILITIES

12 For an additional amount for “Medical Facilities” for
13 necessary expenses related to the consequences of Hurri-
14 cane Sandy, \$6,000,000, to remain available until Sep-
15 tember 30, 2014: *Provided*, That such amount is des-
16 ignated by the Congress as being for an emergency re-
17 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
18 anced Budget and Emergency Deficit Control Act of 1985.

19 NATIONAL CEMETERY ADMINISTRATION

20 For an additional amount for “National Cemetery
21 Administration” for necessary expenses related to the con-
22 sequences of Hurricane Sandy, \$1,100,000: *Provided*,
23 That such amount is designated by the Congress as being
24 for an emergency requirement pursuant to section

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

3 DEPARTMENTAL ADMINISTRATION
4 INFORMATION TECHNOLOGY SYSTEMS

5 For an additional amount for “Information Tech-
6 nology Systems” for necessary expenses related to the con-
7 sequences of Hurricane Sandy, \$531,000: *Provided*, That
8 such amount is designated by the Congress as being for
9 an emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 CONSTRUCTION, MAJOR PROJECTS

13 For an additional amount for “Construction, Major
14 Projects”, \$207,000,000, to remain available until Sep-
15 tember 30, 2017, for renovations and repairs as a con-
16 sequence of damage caused by Hurricane Sandy: *Provided*,
17 That none of these funds shall be available for obligation
18 until the Secretary of Veterans Affairs submits to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate a detailed expenditure plan for
21 funds provided under this heading: *Provided further*, That
22 notwithstanding any other provision of law, such funds
23 may be obligated and expended to carry out planning and
24 design and major medical facility construction not other-
25 wise authorized by law: *Provided further*, That such

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

5
6 TITLE VIII
7 DEPARTMENT OF TRANSPORTATION
8 FEDERAL AVIATION ADMINISTRATION
9 FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

10 For an additional amount for “Facilities and Equip-
11 ment”, \$14,600,000, to be derived from the Airport and
12 Airway Trust Fund and to remain available until Sep-
13 tember 30, 2013, for necessary expenses related to the
14 consequences of Hurricane Sandy: *Provided* , That such
15 amount is designated by the Congress as being for an
16 emergency requirement pursuant to section
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 FEDERAL RAILROAD ADMINISTRATION
20 OPERATING SUBSIDY GRANTS TO THE NATIONAL
21 RAILROAD PASSENGER CORPORATION

22 For an additional amount for “Operating Subsidy
23 Grants to the National Railroad Passenger Corporation”
24 for the Secretary of Transportation to make grants to the
25 National Railroad Passenger Corporation for necessary

1 expenses related to the consequences of Hurricane Sandy,
2 \$32,000,000, to remain available until expended: *Pro-*
3 *vided*, That such amount is designated by the Congress
4 as being for an emergency requirement pursuant to sec-
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985.

7 FEDERAL TRANSIT ADMINISTRATION
8 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM
9 (INCLUDING TRANSFER OF FUNDS)

10 For the “Public Transportation Emergency Relief
11 Program” as authorized under section 5324 of title 49,
12 United States Code, \$5,400,000,000, to remain available
13 until expended, for transit systems affected by Hurricane
14 Sandy: *Provided*, That not more than \$2,000,000,000
15 shall be made available not later than 60 days after the
16 date of enactment of this Act: *Provided further*, That the
17 remainder of the funds shall be made available only after
18 the Federal Transit Administration and the Federal
19 Emergency Management Agency sign the memorandum of
20 agreement required by section 20017(b) of the Moving
21 Ahead for Progress in the 21st Century Act (Public Law
22 112–141) and the Federal Transit Administration pub-
23 lishes interim regulations for the Public Transportation
24 Emergency Relief Program: *Provided further*, That not
25 more than three-quarters of 1 percent of the funds for

1 public transportation emergency relief shall be available
2 for administrative expenses and ongoing program manage-
3 ment oversight as authorized under 49 U.S.C. 5334 and
4 5338(i)(2) and shall be in addition to any other appropria-
5 tions for such purpose: *Provided further*, That of the funds
6 made available under this heading, \$3,000,000 shall be
7 transferred to the Office of Inspector General to support
8 the oversight of activities under this heading: *Provided*
9 *further*, That such amounts 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.

13 DEPARTMENT OF HOUSING AND URBAN

14 DEVELOPMENT

15 COMMUNITY PLANNING AND DEVELOPMENT

16 COMMUNITY DEVELOPMENT FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For an additional amount for “Community Develop-
19 ment Fund”, \$3,850,000,000, to remain available until
20 September 30, 2017, for necessary expenses related to dis-
21 aster relief, long-term recovery, restoration of infrastruc-
22 ture and housing, and economic revitalization in the most
23 impacted and distressed areas resulting from a major dis-
24 aster declared pursuant to the Robert T. Stafford Disaster
25 Relief and Emergency Assistance Act (42 U.S.C. 5121 et

1 seq.) due to Hurricane Sandy, for activities authorized
2 under title I of the Housing and Community Development
3 Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*, That
4 funds shall be allocated directly to States and units of gen-
5 eral local government at the discretion of the Secretary
6 of Housing and Urban Development: *Provided further*,
7 That within 60 days after the enactment of this Act, the
8 Secretary shall allocate to grantees all funds provided
9 under this heading based on the best available data: *Pro-*
10 *vided further*, That as a condition of eligibility for receipt
11 of such funds, a grantee shall submit a plan to the Sec-
12 retary detailing the proposed use of all funds, including
13 criteria for eligibility and how the use of such funds will
14 address long-term recovery, restoration of infrastructure
15 and housing, and economic revitalization in the most im-
16 pacted and distressed areas: *Provided further*, That the
17 Secretary shall, by notice issued within 45 days of enact-
18 ment of this Act, specify criteria for approval of plans,
19 and, if the Secretary determines that a plan does not meet
20 such criteria, the Secretary shall disapprove the plan: *Pro-*
21 *vided further*, That as a condition of making any grant,
22 the Secretary shall certify in advance that such grantee
23 has in place proficient financial controls and procurement
24 processes and has established adequate procedures to pre-
25 vent any duplication of benefits as defined by section 312

1 of the Robert T. Stafford Disaster Relief and Emergency
2 Assistance Act (42 U.S.C. 5155), to ensure timely expend-
3 iture of funds, to maintain comprehensive websites regard-
4 ing all disaster recovery activities assisted with these
5 funds, and to detect and prevent waste, fraud, and abuse
6 of funds: *Provided further*, That funds provided under this
7 heading may not be used for activities reimbursable by or
8 for which funds are made available by the Federal Emer-
9 gency Management Agency or the Army Corps of Engi-
10 neers: *Provided further*, That funds allocated under this
11 heading shall not be considered relevant to the non-dis-
12 aster formula allocations made pursuant to section 106
13 of the Housing and Community Development Act of 1974
14 (42 U.S.C. 5306): *Provided further*, That a grantee may
15 use up to 5 percent of its overall allocation for administra-
16 tive costs: *Provided further*, That a grantee shall admin-
17 ister grant funds provided under this heading in accord-
18 ance with all applicable laws and regulations and may not
19 delegate, by contract or otherwise, the responsibility for
20 administering such grant funds: *Provided further*, That
21 the Secretary shall provide grantees with technical assist-
22 ance on contracting and procurement processes and shall
23 require grantees, in contracting or procuring these funds,
24 to incorporate performance requirements and penalties
25 into any such contracts or agreements: *Provided further*,

1 That the Secretary shall require grantees to maintain on
2 a public website information accounting for how all grant
3 funds are used, including details of all contracts and ongo-
4 ing procurement processes: *Provided further*, That, in ad-
5 ministering the funds under this heading, the Secretary
6 may waive, or specify alternative requirements for, any
7 provision of any statute or regulation that the Secretary
8 administers in connection with the obligation by the Sec-
9 retary or the use of these funds by a grantee (except for
10 requirements related to fair housing, nondiscrimination,
11 labor standards, and the environment) upon a request by
12 a grantee explaining why such waiver is required to facili-
13 tate the use of such funds and pursuant to a determina-
14 tion by the Secretary that good cause exists for the waiver
15 or alternative requirement and that such action is not in-
16 consistent with the overall purposes of title I of the Hous-
17 ing and Community Development Act of 1974 (42 U.S.C.
18 5301 et seq.) or this heading: *Provided further*, That, not-
19 withstanding the preceding proviso, recipients of funds
20 provided under this heading that use such funds to supple-
21 ment Federal assistance provided under sections 402, 403,
22 406, 407, or 502 of the Robert T. Stafford Disaster Relief
23 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)
24 may adopt, without review or public comment, any envi-
25 ronmental review, approval, or permit performed by a

1 Federal agency, and such adoption shall satisfy the re-
2 sponsibilities of the recipient with respect to such environ-
3 mental review, approval or permit under section 104(g)(1)
4 of the Housing and Community Development Act of 1974
5 (42 U.S.C. 5304(g)(1)): *Provided further*, That, notwith-
6 standing section 104(g)(2) of such Act (42 U.S.C.
7 5304(g)(2)), the Secretary may, upon receipt of a request
8 for release of funds and certification, immediately approve
9 the release of funds for an activity or project assisted
10 under this heading if the recipient has adopted an environ-
11 mental review, approval or permit under the preceding
12 proviso or the activity or project is categorically excluded
13 from review under the National Environmental Policy Act
14 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That
15 a waiver granted by the Secretary may not reduce the per-
16 centage of funds that must be used for activities that ben-
17 efit persons of low and moderate income to less than 50
18 percent, unless the Secretary specifically finds that there
19 is compelling need to further reduce the percentage re-
20 quirement: *Provided further*, That the Secretary shall pub-
21 lish in the Federal Register any waiver or alternative re-
22 quirement made by the Secretary with respect to any stat-
23 ute or regulation no later than 5 days before the effective
24 date of such waiver or alternative requirement: *Provided*
25 *further*, That, of the funds made available under this head-

1 ing, up to \$4,000,000 may be transferred to Program Of-
2 fice Salaries and Expenses, Community Planning and De-
3 velopment for necessary costs, including information tech-
4 nology costs, of administering and overseeing funds made
5 available under this heading: *Provided further*, That, of the
6 funds made available under this heading, \$4,000,000 shall
7 be transferred to Office of the Inspector General for nec-
8 essary costs of overseeing and auditing funds made avail-
9 able under this heading: *Provided further*, That funds pro-
10 vided under this heading are designated by the Congress
11 as being for an emergency requirement pursuant to sec-
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985.

14 ADMINISTRATIVE PROVISIONS - DEPARTMENT OF
15 HOUSING AND URBAN DEVELOPMENT

16 SEC. 801. For fiscal year 2013, upon request by a
17 public housing agency and supported by documentation as
18 required by the Secretary of Housing and Urban Develop-
19 ment that demonstrates that the need for the adjustment
20 is due to the disaster, the Secretary may make temporary
21 adjustments to the Section 8 housing choice voucher an-
22 nual renewal funding allocations and administrative fee
23 eligibility determinations for public housing agencies in an
24 area for which the President declared a disaster under
25 title IV of the Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (42 U.S.C. 5170 et seq.), to
2 avoid significant adverse funding impacts that would oth-
3 erwise result from the disaster.

4 TITLE IX

5 GENERAL PROVISIONS—THIS ACT

6 SEC. 901. Each amount appropriated or made avail-
7 able in this Act is in addition to amounts otherwise appro-
8 priated for the fiscal year involved.

9 SEC. 902. Each amount designated in this Act by the
10 Congress as being for an emergency requirement pursuant
11 to section 251(b)(2)(A)(i) of the Balanced Budget and
12 Emergency Deficit Control Act of 1985 shall be available
13 only if the President subsequently so designates all such
14 amounts and transmits such designations to the Congress.

15 SEC. 903. No part of any appropriation contained in
16 this Act shall remain available for obligation beyond the
17 current fiscal year unless expressly so provided herein.

18 SEC. 904. (a)(1) Not later than March 31, 2013, in
19 accordance with criteria to be established by the Director
20 of the Office of Management and Budget (referred to in
21 this section as “OMB”), each Federal agency shall submit
22 to OMB, the Government Accountability Office, the re-
23 spective Inspector General of each agency, and the Com-
24 mittees on Appropriations of the House of Representatives

1 and the Senate internal control plans for funds provided
2 by this Act.

3 (2) Not later than June 30, 2013, the Government
4 Accountability Office shall report to the Committees on
5 Appropriations of the House of Representatives and the
6 Senate on the effectiveness of the internal control plans
7 required by paragraph (1).

8 (b) All programs and activities receiving funds under
9 this Act shall be deemed to be “susceptible to significant
10 improper payments” for purposes of the Improper Pay-
11 ments Information Act of 2002 (31 U.S.C. 3321 note),
12 notwithstanding section 2(a) of such Act.

13 (c) Funds for grants provided by this Act shall be
14 expended by the grantees within the 24-month period fol-
15 lowing the agency’s obligation of funds for the grant, un-
16 less, in accordance with guidance to be issued by the Di-
17 rector of OMB, the Director waives this requirement for
18 a particular grant program and submits a written jus-
19 tification for such waiver to the Committees on Appropria-
20 tions of the House of Representatives and the Senate. In
21 the case of such grants, the agency shall include a term
22 in the grant that requires the grantee to return to the
23 agency any funds not expended within the 24-month pe-
24 riod.

1 (d) Through September 30, 2015, the Recovery Ac-
2 countability and Transparency Board shall develop and
3 use information technology resources and oversight mech-
4 anisms to detect and remediate waste, fraud, and abuse
5 in the obligation and expenditure of funds appropriated
6 in this or any other Act for any fiscal year of such period
7 for purposes related to the impact of Hurricane Sandy:
8 *Provided*, That the Board shall coordinate its oversight ef-
9 forts with the Director of OMB, the head of each Federal
10 agency receiving appropriations related to the impact of
11 Hurricane Sandy, and the respective Inspector General of
12 each such agency: *Provided further*, That the Board shall
13 submit quarterly reports to the Committees on Appropria-
14 tions of the House of Representatives and the Senate on
15 its activities related to funds appropriated for the impact
16 of Hurricane Sandy.

17 This Act may be cited as the “Disaster Relief Appro-
18 priations Act, 2013”.

