

113TH CONGRESS
1ST SESSION

H. R. 152

Making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2013

Mr. ROGERS of Kentucky introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

Making supplemental appropriations for the fiscal year ending September 30, 2013, 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 appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2013, and for other pur-
6 poses, namely:

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 foods 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
18 the States without regard to sections 204 and 214 of such
19 Act (7 U.S.C. 7508, 7515): *Provided further*, That such
20 amount is designated by the Congress as being for an
21 emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 TITLE II
2 DEPARTMENT OF THE ARMY
3 CORPS OF ENGINEERS—CIVIL
4 INVESTIGATIONS

5 For an additional amount for “Investigations” for
6 necessary expenses related to the consequences of Hurri-
7 cane Sandy, \$20,000,000, to remain available until ex-
8 pended to conduct studies of flood and storm damage re-
9 duction related to natural disasters: *Provided*, That using
10 \$19,500,000 of the funds provided herein, the Secretary
11 of the Army shall conduct, at full Federal expense, a com-
12 prehensive study to address the flood risks of vulnerable
13 coastal populations in areas impacted by Hurricane Sandy
14 within the boundaries of the North Atlantic Division of
15 the United States Army Corps of Engineers: *Provided fur-*
16 *ther*, That an interim report with an assessment of author-
17 ized Corps projects for reducing flooding and storm risks
18 in the affected area that have been constructed or are
19 under construction, including construction cost estimates,
20 shall be submitted to the Committees on Appropriations
21 of the House of Representatives and the Senate not later
22 than March 1, 2013: *Provided further*, That an interim
23 report identifying any previously authorized but
24 unconstructed Corps project and any project under study
25 by the Corps for reducing flooding and storm damage

1 risks in the affected area, including updated construction
2 cost estimates, that are, or would be, consistent with the
3 comprehensive study shall be submitted to the appropriate
4 congressional committees not later than May 1, 2013: *Pro-*
5 *vided further*, That a final report shall be submitted to
6 the appropriate congressional committees not later than
7 24 months after the date of enactment of this Act: *Pro-*
8 *vided further*, That as a part of the study, the Secretary
9 shall identify those activities that warrant additional anal-
10 ysis by the Corps, as well as institutional and other bar-
11 riers to providing protection to the affected coastal areas:
12 *Provided further*, That the Secretary shall conduct the
13 study in coordination with other Federal agencies, and
14 State, local, and Tribal officials to ensure consistency with
15 other plans to be developed, as appropriate: *Provided fur-*
16 *ther*, That using \$500,000 of the funds provided herein,
17 the Secretary shall conduct, at full Federal expense, an
18 evaluation of the performance of existing projects con-
19 structed by the Corps and damaged as a consequence of
20 Hurricane Sandy for the purposes of determining their ef-
21 fectiveness and making recommendations for improve-
22 ments to such projects: *Provided further*, That the
23 amounts in this paragraph are designated by the Congress
24 as being for an emergency requirement pursuant to sec-
25 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-

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

8 CONSTRUCTION

9 For an additional amount for “Construction” for nec-
10 essary expenses related to the consequences of Hurricane
11 Sandy, \$9,000,000, to remain available until expended for
12 repairs to projects that were under construction and dam-
13 aged as a consequence of Hurricane Sandy: *Provided*,
14 That such amount is designated by the Congress as being
15 for an emergency requirement pursuant to section
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985: *Provided further*, That the
18 Assistant Secretary of the Army for Civil Works shall pro-
19 vide a monthly report to the Committees on Appropria-
20 tions of the House of Representatives and the Senate de-
21 tailing the allocation and obligation of these funds, begin-
22 ning not later than 60 days after enactment of this Act.

23 OPERATION AND MAINTENANCE

24 For an additional amount for “Operation and Main-
25 tenance” for necessary expenses related to the con-

1 sequences of Hurricane Sandy, \$742,000,000, to remain
2 available until expended to dredge Federal navigation
3 channels, and repair damage to Corps projects: *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: *Provided further*, That the
8 Assistant Secretary of the Army for Civil Works shall pro-
9 vide 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 enactment of this Act.

13 FLOOD CONTROL AND COASTAL EMERGENCIES

14 For an additional amount for “Flood Control and
15 Coastal Emergencies” for necessary expenses related to
16 the consequences of Hurricane Sandy, \$582,000,000, to
17 remain available until expended to support emergency op-
18 erations, repairs, and other activities, as authorized by
19 law: *Provided*, That such amount is designated by the
20 Congress as being for an emergency requirement pursuant
21 to section 251(b)(2)(A)(i) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985: *Provided further*,
23 That the Assistant Secretary of the Army for Civil Works
24 shall provide a monthly report to the Committees on Ap-
25 propriations of the House of Representatives and the Sen-

1 ate detailing the allocation and obligation of these funds,
2 beginning not later than 60 days after enactment of this
3 Act.

4 TITLE III

5 SMALL BUSINESS ADMINISTRATION

6 SALARIES AND EXPENSES

7 For an additional amount for “Salaries and Ex-
8 penses”, \$10,000,000 for grants to or cooperative agree-
9 ments with organizations to provide technical assistance
10 related to disaster recovery, response, and long term resil-
11 iency to small businesses that are recovering from Hurri-
12 cane Sandy: *Provided*, That the Small Business Adminis-
13 tration shall expedite the delivery of assistance in disaster-
14 affected areas: *Provided further*, That the Administrator
15 of the Small Business Administration may waive the
16 matching requirements under section 21(a)(4)(A) and
17 29(c) of the Small Business Act for any grant made using
18 funds made available under this heading: *Provided further*,
19 That no later than 30 days after the date of enactment
20 of this Act, or no less than 7 days prior to obligation of
21 funds, whichever occurs earlier, the Administrator of the
22 Small Business Administration shall submit to the Com-
23 mittees on Appropriations of the House of Representatives
24 and the Senate a detailed expenditure plan for funds pro-
25 vided under this heading: *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 OFFICE OF INSPECTOR GENERAL

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

14 DISASTER LOANS PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For an additional amount for “Disaster Loans Pro-
17 gram Account” for the cost of direct loans authorized by
18 section 7(b) of the Small Business Act, for necessary ex-
19 penses related to the consequences of Hurricane Sandy,
20 \$100,000,000, to remain available until expended: *Pro-*
21 *vided*, That such costs, including the cost of modifying
22 such loans, shall be as defined in section 502 of the Con-
23 gressional Budget Act of 1974: *Provided further*, That in
24 addition, for direct administrative expenses of loan making
25 and servicing to carry out the direct loan program author-

1 ized by section 7(b) of the Small Business Act in response
2 to Hurricane Sandy, an additional \$50,000,000, to remain
3 available until expended, which may be transferred to and
4 merged with the appropriations for Salaries and Expenses:
5 *Provided further*, That such amounts are designated by the
6 Congress as being for an emergency requirement pursuant
7 to section 251(b)(2)(A)(i) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 TITLE IV

10 DEPARTMENT OF HOMELAND SECURITY

11 COAST GUARD

12 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for “Acquisition, Construc-
15 tion, and Improvements” for necessary expenses related
16 to the consequences of Hurricane Sandy, \$143,899,000,
17 to remain available until September 30, 2014: *Provided*,
18 That such amount is designated by the Congress as being
19 for an emergency requirement pursuant to section
20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985: *Provided further*, That not-
22 withstanding the transfer limitation contained in section
23 503 of division D of Public Law 112–74, such funding
24 may be transferred to other Coast Guard appropriations
25 after notification as required in accordance with such sec-

1 tion: *Provided further*, That a description of all facilities
2 and property to be reconstructed and restored, with asso-
3 ciated costs and time lines, shall be submitted to the Com-
4 mittees on Appropriations of the House of Representatives
5 and the Senate no later than 90 days after the date of
6 enactment of this Act.

7 FEDERAL EMERGENCY MANAGEMENT AGENCY

8 DISASTER RELIEF FUND

9 (INCLUDING TRANSFER OF FUNDS)

10 For an additional amount for the “Disaster Relief
11 Fund” for major disasters declared pursuant to the Rob-
12 ert T. Stafford Disaster Relief and Emergency Assistance
13 Act (42 U.S.C. 5121 et seq.), \$5,379,000,000, to remain
14 available until expended, of which \$3,000,000 shall be
15 transferred to the Department of Homeland Security Of-
16 fice of Inspector General for audits and investigations re-
17 lated to disasters: *Provided*, That such amount is des-
18 ignated by the Congress as being for disaster relief pursu-
19 ant to section 251(b)(2)(D) of the Balanced Budget and
20 Emergency Deficit Control Act of 1985: *Provided further*,
21 That the Administrator of the Federal Emergency Man-
22 agement Agency shall publish on the Agency’s website not
23 later than 24 hours after an award of a public assistance
24 grant under section 406 of the Robert T. Stafford Dis-
25 aster Relief and Emergency Assistance Act (42 U.S.C.

1 5172) that is in excess of \$1,000,000, the specifics of each
2 such grant award: *Provided further*, That for any mission
3 assignment or mission assignment task order to another
4 Federal department or agency regarding a major disaster,
5 not later than 24 hours after the issuance of a mission
6 assignment or task order in excess of \$1,000,000, the Ad-
7 ministrator shall publish on the Agency's website the fol-
8 lowing: the name of the impacted State and the disaster
9 declaration for such State, the assigned agency, the assist-
10 ance requested, a description of the disaster, the total cost
11 estimate, and the amount obligated: *Provided further*,
12 That not later than 10 days after the last day of each
13 month until the mission assignment or task order is com-
14 pleted and closed out, the Administrator shall update any
15 changes to the total cost estimate and the amount obli-
16 gated: *Provided further*, That for a disaster declaration re-
17 lated to Hurricane Sandy, the Administrator shall submit
18 to the Committees on Appropriations of the House of Rep-
19 resentatives and the Senate, not later than 5 days after
20 the first day of each month beginning after the date of
21 enactment of this Act, and shall publish on the Agency's
22 website not later than 10 days after the first day of each
23 such month, an estimate or actual amount, if available,
24 for the current fiscal year of the cost of the following cat-
25 egories of spending: public assistance, individual assist-

1 ance, operations, mitigation, administrative, and any other
2 relevant category (including emergency measures and dis-
3 aster resources): *Provided further*, That not later than 10
4 days after the first day of each month beginning after the
5 date of enactment of this Act, the Administrator shall
6 publish on the Agency’s website the report (referred to as
7 the Disaster Relief Monthly Report) as required by Public
8 Law 112–74.

9 SCIENCE AND TECHNOLOGY

10 RESEARCH, DEVELOPMENT, ACQUISITION, AND

11 OPERATIONS

12 For an additional amount for “Research, Develop-
13 ment, Acquisition, and Operations”, for necessary ex-
14 penses related to the consequences of Hurricane Sandy,
15 \$585,000, to remain available until September 30, 2013:
16 *Provided*, That such amount is designated by the Congress
17 as being for an emergency requirement pursuant to sec-
18 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
19 gency Deficit Control Act of 1985.

20 DOMESTIC NUCLEAR DETECTION OFFICE

21 SYSTEMS ACQUISITION

22 For an additional amount for “Systems Acquisition”,
23 for necessary expenses related to the consequences of Hur-
24 ricane Sandy, \$3,869,000, to remain available until Sep-
25 tember 30, 2014: *Provided*, That such amount is des-

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

4 GENERAL PROVISION—THIS TITLE

5 SEC. 401. Funds made available by Public Law 109–
 6 88 for carrying out activities authorized under section 417
 7 of the Robert T. Stafford Disaster Relief and Emergency
 8 Assistance Act (42 U.S.C. 5184) may be used until ex-
 9 pended to provide assistance under section 417 of that Act
 10 to local governments in areas eligible to receive such as-
 11 sistance pursuant to a major disaster declaration by the
 12 President for Hurricane Sandy.

13 TITLE V

14 DEPARTMENT OF THE INTERIOR

15 FISH AND WILDLIFE SERVICE

16 CONSTRUCTION

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

1 NATIONAL PARK SERVICE

2 CONSTRUCTION

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

10 BUREAU OF SAFETY AND ENVIRONMENTAL

11 ENFORCEMENT

12 OIL SPILL RESEARCH

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

1 TITLE VI
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 OFFICE OF THE SECRETARY
5 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
6 FUND
7 (INCLUDING TRANSFERS OF FUNDS)

8 For an additional amount for “Public Health and So-
9 cial Services Emergency Fund” for disaster response and
10 recovery, and other expenses directly related to Hurricane
11 Sandy, including making payments under the Head Start
12 Act and additional payments for distribution as provided
13 for under the “Social Services Block Grant Program”,
14 \$100,000,000, to remain available until September 30,
15 2014: *Provided*, That not less than \$25,000,000 shall be
16 transferred to “Children and Families Services Programs”
17 for the Head Start program for the purposes provided
18 herein: *Provided further*, That not less than \$25,000,000
19 shall be transferred to “Social Services Block Grant” for
20 the purposes provided herein: *Provided further*, That not
21 less than \$2,000,000 shall be transferred to the Depart-
22 ment of Health and Human Services (“HHS”) “Office of
23 Inspector General” to perform oversight, accountability,
24 and evaluation of programs, projects, or activities sup-
25 ported with the funds provided for the purposes provided

1 herein: *Provided further*, That notwithstanding any other
2 provision of law, the distribution of any amount shall be
3 limited to the States of New York and New Jersey, except
4 that funds provided to “Substance Abuse and Mental
5 Health Services Administration” may be distributed to
6 other States, but only if such funds are for grants, con-
7 tracts, and cooperative agreements for behavioral health
8 treatment, crisis counseling, and other related helplines,
9 and for other similar programs to provide support to dis-
10 located residents of New York and New Jersey: *Provided*
11 *further*, That none of the funds appropriated in this para-
12 graph shall be included in the calculation of the “base
13 grant” in subsequent fiscal years, as such term is defined
14 in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of
15 the Head Start Act: *Provided further*, That funds appro-
16 priated in this paragraph are not subject to the allocation
17 requirements of section 640(a) of the Head Start Act:
18 *Provided further*, That funds appropriated in this para-
19 graph are in addition to the entitlement grants authorized
20 by section 2002(a)(1) of the Social Security Act and shall
21 not be available for such entitlement grants: *Provided fur-*
22 *ther*, That funds appropriated in this paragraph may be
23 transferred by the Secretary of HHS (“Secretary”) to ac-
24 counts within HHS, and shall be available only for the
25 purposes provided in this paragraph: *Provided further*,

1 That the transfer authority provided in this paragraph is
2 in addition to any other transfer authority available in this
3 or any other Act for fiscal year 2013: *Provided further,*
4 That 15 days prior to the transfer of funds appropriated
5 in this paragraph, the Secretary shall notify the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate of any such transfer and the planned uses
8 of the funds: *Provided further,* That obligations incurred
9 for the purposes provided herein prior to the date of enact-
10 ment of this Act may be charged to funds appropriated
11 by this paragraph: *Provided further,* That funds appro-
12 priated in this paragraph and transferred to the National
13 Institutes of Health for the purpose of supporting the re-
14 pair or rebuilding of non-Federal biomedical or behavioral
15 research facilities damaged as a result of Hurricane Sandy
16 shall be used to award grants or contracts for such pur-
17 pose under section 404I of the Public Health Service Act:
18 *Provided further,* That section 481A(c)(2) of such Act does
19 not apply to the use of funds described in the preceding
20 proviso: *Provided further,* That funds appropriated in this
21 paragraph shall not be available for costs that are reim-
22 bursed by the Federal Emergency Management Agency,
23 under a contract for insurance, or by self-insurance: *Pro-*
24 *vided further,* That such amounts are 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 RELATED AGENCIES

4 SOCIAL SECURITY ADMINISTRATION

5 LIMITATION ON ADMINISTRATIVE EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Limitation on Admin-
8 istrative Expenses”, \$2,000,000, for expenses directly re-
9 lated to Hurricane Sandy, which shall be derived from the
10 unobligated balances that remain available under such
11 heading for the Social Security Administration for infor-
12 mation technology and telecommunications hardware and
13 software infrastructure: *Provided*, That such amounts are
14 designated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 TITLE VII

18 DEPARTMENT OF DEFENSE

19 MILITARY CONSTRUCTION

20 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

21 For an additional amount for “Military Construction,
22 Army National Guard” for necessary expenses related to
23 the consequences of Hurricane Sandy, \$24,235,000, to re-
24 main available until September 30, 2017: *Provided*, That
25 none of the funds made available to the Army National

1 Guard for recovery efforts related to Hurricane Sandy in
2 this Act shall be available for obligation until the Commit-
3 tees on Appropriations of the House of Representatives
4 and the Senate receive form 1391 for each specific re-
5 quest: *Provided further*, That notwithstanding any other
6 provision of law, such funds may be obligated to carry out
7 military construction projects not otherwise authorized by
8 law: *Provided further*, 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.

12 DEPARTMENT OF VETERANS AFFAIRS

13 VETERANS HEALTH ADMINISTRATION

14 MEDICAL SERVICES

15 For an additional amount for “Medical Services” for
16 necessary expenses related to the consequences of Hurri-
17 cane Sandy, \$21,000,000, to remain available until Sep-
18 tember 30, 2014: *Provided*, That such amount is des-
19 ignated by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 MEDICAL FACILITIES

23 For an additional amount for “Medical Facilities” for
24 necessary expenses related to the consequences of Hurri-
25 cane Sandy, \$6,000,000, to remain available until Sep-

1 tember 30, 2014: *Provided*, That such amount is des-
2 ignated by the Congress as being for an emergency re-
3 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 NATIONAL CEMETERY ADMINISTRATION

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

13 DEPARTMENTAL ADMINISTRATION

14 INFORMATION TECHNOLOGY SYSTEMS

15 For an additional amount for “Information Tech-
16 nology Systems” for necessary expenses related to the con-
17 sequences of Hurricane Sandy, \$531,000: *Provided*, 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 CONSTRUCTION, MAJOR PROJECTS

23 For an additional amount for “Construction, Major
24 Projects”, \$207,000,000, to remain available until Sep-
25 tember 30, 2017, for renovations and repairs as a con-

1 sequence of damage caused by Hurricane Sandy: *Provided*,
2 That none of these funds shall be available for obligation
3 until the Secretary of Veterans Affairs submits to the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate a detailed expenditure plan for
6 funds provided under this heading: *Provided further*, That
7 notwithstanding any other provision of law, such funds
8 may be obligated and expended to carry out planning and
9 design and major medical facility construction not other-
10 wise authorized by law: *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 TITLE VIII

16 DEPARTMENT OF TRANSPORTATION

17 FEDERAL AVIATION ADMINISTRATION

18 FACILITIES AND EQUIPMENT

19 (AIRPORT AND AIRWAY TRUST FUND)

20 For an additional amount for “Facilities and Equip-
21 ment”, \$14,600,000, to be derived from the Airport and
22 Airway Trust Fund and to remain available until Sep-
23 tember 30, 2013, for necessary expenses related to the
24 consequences of Hurricane Sandy: *Provided* , That such
25 amount is designated by the Congress as being for an

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

4 FEDERAL RAILROAD ADMINISTRATION
5 OPERATING SUBSIDY GRANTS TO THE NATIONAL
6 RAILROAD PASSENGER CORPORATION

7 For an additional amount for “Operating Subsidy
8 Grants to the National Railroad Passenger Corporation”
9 for the Secretary of Transportation to make grants to the
10 National Railroad Passenger Corporation for necessary
11 expenses related to the consequences of Hurricane Sandy,
12 \$32,000,000, to remain available until expended: *Pro-*
13 *vided*, 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 FEDERAL TRANSIT ADMINISTRATION
18 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM
19 (INCLUDING TRANSFER OF FUNDS)

20 For the “Public Transportation Emergency Relief
21 Program” as authorized under section 5324 of title 49,
22 United States Code, \$5,400,000,000, to remain available
23 until expended, for transit systems affected by Hurricane
24 Sandy: *Provided*, That not more than \$2,000,000,000
25 shall be made available not later than 60 days after the

1 date of enactment of this Act: *Provided further*, That the
2 remainder of the funds shall be made available only after
3 the Federal Transit Administration and the Federal
4 Emergency Management Agency sign the memorandum of
5 agreement required by section 20017(b) of the Moving
6 Ahead for Progress in the 21st Century Act (Public Law
7 112–141) and the Federal Transit Administration pub-
8 lishes interim regulations for the Public Transportation
9 Emergency Relief Program: *Provided further*, That not
10 more than three-quarters of 1 percent of the funds for
11 public transportation emergency relief shall be available
12 for administrative expenses and ongoing program manage-
13 ment oversight as authorized under 49 U.S.C. 5334 and
14 5338(i)(2) and shall be in addition to any other appropria-
15 tions for such purpose: *Provided further*, That of the funds
16 made available under this heading, \$3,000,000 shall be
17 transferred to the Office of Inspector General to support
18 the oversight of activities under this heading: *Provided*
19 *further*, That such amounts are designated by the Con-
20 gress as being for an emergency requirement pursuant to
21 section 251(b)(2)(A)(i) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

1 DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT
3 COMMUNITY PLANNING AND DEVELOPMENT
4 COMMUNITY DEVELOPMENT FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for “Community Develop-
7 ment Fund”, \$3,850,000,000, to remain available until
8 September 30, 2017, for necessary expenses related to dis-
9 aster relief, long-term recovery, restoration of infrastruc-
10 ture and housing, and economic revitalization in the most
11 impacted and distressed areas resulting from a major dis-
12 aster declared pursuant to the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
14 seq.) due to Hurricane Sandy, for activities authorized
15 under title I of the Housing and Community Development
16 Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*, That
17 funds shall be allocated directly to States and units of gen-
18 eral local government at the discretion of the Secretary
19 of Housing and Urban Development: *Provided further*,
20 That within 60 days after the enactment of this Act, the
21 Secretary shall allocate to grantees all funds provided
22 under this heading based on the best available data: *Pro-*
23 *vided further*, That as a condition of eligibility for receipt
24 of such funds, a grantee shall submit a plan to the Sec-
25 retary detailing the proposed use of all funds, including

1 criteria for eligibility and how the use of such funds will
2 address long-term recovery, restoration of infrastructure
3 and housing, and economic revitalization in the most im-
4 pacted and distressed areas: *Provided further*, That the
5 Secretary shall, by notice issued within 45 days of enact-
6 ment of this Act, specify criteria for approval of plans,
7 and, if the Secretary determines that a plan does not meet
8 such criteria, the Secretary shall disapprove the plan: *Pro-*
9 *vided further*, That as a condition of making any grant,
10 the Secretary shall certify in advance that such grantee
11 has in place proficient financial controls and procurement
12 processes and has established adequate procedures to pre-
13 vent any duplication of benefits as defined by section 312
14 of the Robert T. Stafford Disaster Relief and Emergency
15 Assistance Act (42 U.S.C. 5155), to ensure timely expend-
16 iture of funds, to maintain comprehensive websites regard-
17 ing all disaster recovery activities assisted with these
18 funds, and to detect and prevent waste, fraud, and abuse
19 of funds: *Provided further*, That funds provided under this
20 heading may not be used for activities reimbursable by or
21 for which funds are made available by the Federal Emer-
22 gency Management Agency or the Army Corps of Engi-
23 neers: *Provided further*, That funds allocated under this
24 heading shall not be considered relevant to the non-dis-
25 aster formula allocations made pursuant to section 106

1 of the Housing and Community Development Act of 1974
2 (42 U.S.C. 5306): *Provided further*, That a grantee may
3 use up to 5 percent of its overall allocation for administra-
4 tive costs: *Provided further*, That a grantee shall admin-
5 ister grant funds provided under this heading in accord-
6 ance with all applicable laws and regulations and may not
7 delegate, by contract or otherwise, the responsibility for
8 administering such grant funds: *Provided further*, That
9 the Secretary shall provide grantees with technical assist-
10 ance on contracting and procurement processes and shall
11 require grantees, in contracting or procuring these funds,
12 to incorporate performance requirements and penalties
13 into any such contracts or agreements: *Provided further*,
14 That the Secretary shall require grantees to maintain on
15 a public website information accounting for how all grant
16 funds are used, including details of all contracts and ongo-
17 ing procurement processes: *Provided further*, That, in ad-
18 ministering the funds under this heading, the Secretary
19 may waive, or specify alternative requirements for, any
20 provision of any statute or regulation that the Secretary
21 administers in connection with the obligation by the Sec-
22 retary or the use of these funds by a grantee (except for
23 requirements related to fair housing, nondiscrimination,
24 labor standards, and the environment) upon a request by
25 a grantee explaining why such waiver is required to facili-

1 tate the use of such funds and pursuant to a determina-
2 tion by the Secretary that good cause exists for the waiver
3 or alternative requirement and that such action is not in-
4 consistent with the overall purposes of title I of the Hous-
5 ing and Community Development Act of 1974 (42 U.S.C.
6 5301 et seq.) or this heading: *Provided further*, That, not-
7 withstanding the preceding proviso, recipients of funds
8 provided under this heading that use such funds to supple-
9 ment Federal assistance provided under sections 402, 403,
10 404, 406, 407, or 502 of the Robert T. Stafford Disaster
11 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
12 seq.) may adopt, without review or public comment, any
13 environmental review, approval, or permit performed by
14 a Federal agency, and such adoption shall satisfy the re-
15 sponsibilities of the recipient with respect to such environ-
16 mental review, approval or permit under section 104(g)(1)
17 of the Housing and Community Development Act of 1974
18 (42 U.S.C. 5304(g)(1)): *Provided further*, That, notwith-
19 standing section 104(g)(2) of such Act (42 U.S.C.
20 5304(g)(2)), the Secretary may, upon receipt of a request
21 for release of funds and certification, immediately approve
22 the release of funds for an activity or project assisted
23 under this heading if the recipient has adopted an environ-
24 mental review, approval or permit under the preceding
25 proviso or the activity or project is categorically excluded

1 from review under the National Environmental Policy Act
2 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That
3 a waiver granted by the Secretary may not reduce the per-
4 centage of funds that must be used for activities that ben-
5 efit persons of low and moderate income to less than 50
6 percent, unless the Secretary specifically finds that there
7 is compelling need to further reduce the percentage re-
8 quirement: *Provided further*, That the Secretary shall pub-
9 lish in the Federal Register any waiver or alternative re-
10 quirement made by the Secretary with respect to any stat-
11 ute or regulation no later than 5 days before the effective
12 date of such waiver or alternative requirement: *Provided*
13 *further*, That, of the funds made available under this head-
14 ing, up to \$4,000,000 may be transferred to Program Of-
15 fice Salaries and Expenses, Community Planning and De-
16 velopment for necessary costs, including information tech-
17 nology costs, of administering and overseeing funds made
18 available under this heading: *Provided further*, That, of the
19 funds made available under this heading, \$4,000,000 shall
20 be transferred to Office of the Inspector General for nec-
21 essary costs of overseeing and auditing funds made avail-
22 able under this heading: *Provided further*, That funds pro-
23 vided under this heading are designated by the Congress
24 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 ADMINISTRATIVE PROVISION—DEPARTMENT OF
4 HOUSING AND URBAN DEVELOPMENT

5 SEC. 801. For fiscal year 2013, upon request by a
6 public housing agency and supported by documentation as
7 required by the Secretary of Housing and Urban Develop-
8 ment that demonstrates that the need for the adjustment
9 is due to the disaster, the Secretary may make temporary
10 adjustments to the Section 8 housing choice voucher an-
11 nual renewal funding allocations and administrative fee
12 eligibility determinations for public housing agencies in an
13 area for which the President declared a disaster under
14 title IV of the Robert T. Stafford Disaster Relief and
15 Emergency Assistance Act (42 U.S.C. 5170 et seq.), to
16 avoid significant adverse funding impacts that would oth-
17 erwise result from the disaster.

18 TITLE IX

19 GENERAL PROVISIONS—THIS ACT

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

23 SEC. 902. Each amount designated in this Act by the
24 Congress as being for an emergency requirement pursuant
25 to section 251(b)(2)(A)(i) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985 shall be available
2 only if the President subsequently so designates all such
3 amounts and transmits such designations to the Congress.

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

7 SEC. 904. (a)(1) Not later than March 31, 2013, in
8 accordance with criteria to be established by the Director
9 of the Office of Management and Budget (referred to in
10 this section as “OMB”), each Federal agency shall submit
11 to OMB, the Government Accountability Office, the re-
12 spective Inspector General of each agency, and the Com-
13 mittees on Appropriations of the House of Representatives
14 and the Senate internal control plans for funds provided
15 by this Act.

16 (2) Not later than June 30, 2013, the Government
17 Accountability Office shall report to the Committees on
18 Appropriations of the House of Representatives and the
19 Senate on the effectiveness of the internal control plans
20 required by paragraph (1).

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

1 (c) Funds for grants provided by this Act shall be
2 expended by the grantees within the 24-month period fol-
3 lowing the agency's obligation of funds for the grant, un-
4 less, in accordance with guidance to be issued by the Di-
5 rector of OMB, the Director waives this requirement for
6 a particular grant program and submits a written jus-
7 tification for such waiver to the Committees on Appropria-
8 tions of the House of Representatives and the Senate. In
9 the case of such grants, the agency shall include a term
10 in the grant that requires the grantee to return to the
11 agency any funds not expended within the 24-month pe-
12 riod.

13 (d) Through September 30, 2015, the Recovery Ac-
14 countability and Transparency Board shall develop and
15 use information technology resources and oversight mech-
16 anisms to detect and remediate waste, fraud, and abuse
17 in the obligation and expenditure of funds appropriated
18 in this or any other Act for any fiscal year of such period
19 for purposes related to the impact of Hurricane Sandy:
20 *Provided*, That the Board shall coordinate its oversight ef-
21 forts with the Director of OMB, the head of each Federal
22 agency receiving appropriations related to the impact of
23 Hurricane Sandy, and the respective Inspector General of
24 each such agency: *Provided further*, That the Board shall
25 submit quarterly reports to the Committees on Appropria-

1 tions of the House of Representatives and the Senate on
2 its activities related to funds appropriated for the impact
3 of Hurricane Sandy.

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

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