

H.R. 4667

Summary

The bill provides \$81 billion in emergency funding for disasters caused by Hurricanes Harvey, Irma, and Maria, as well as California wildfires. This emergency funding will continue the efforts to recover, rebuild, and reduce the impact of future natural disasters. The two previous disaster supplemental bills enacted into law provided critical funding for immediate life-saving response and recovery efforts in the aftermath of the hurricanes and wildfires.

Division A

Federal Emergency Management Administration - \$27.6 billion

- *FEMA Disaster Relief Fund*: \$27.5 billion to provide critical funding to assist the ongoing federal disaster response
 - Allows up to \$4 billion to be provided for Community Disaster Loans (CDLs)

Transportation, Housing and Urban Development - \$ 27.8 billion

- *Community Development Block Grants Disaster Recovery (CDBG-DR)*: \$26.1 billion for housing and infrastructure needs
 - \$13.56 billion for grants to states, tribes, and territories for unmet housing needs and business losses
 - \$12.5 billion for mitigation efforts to help communities protect against future disasters. This funding can provide for housing elevation, buyouts in the flood plain, water/sewer infrastructure enhancements, public infrastructure hardening (e.g. storm proofing public buildings), etc.
 - Increases oversight, accountability, and transparency of CDBG funds
- *Federal Highway Administration's Emergency Relief*: \$1.4 billion to address all current damages to federal highways caused by designated disasters

Army Corps of Engineers - \$12.11 billion

- \$12.11 billion to repair existing damages by natural disasters and for studies and projects to reduce the risk of future natural disasters
 - \$10.5 billion for repairs to ongoing construction projects, and to expedite construction projects that will help mitigate future disaster damage;
 - \$370 million to repair damages along the Mississippi River and its tributaries;
 - \$608 million for Operation and Maintenance to repair damages, such as dredging of navigation channels;
 - \$537 million for Flood Control and Coastal Emergencies to repair damages; and
 - \$75 million to expedite studies to help mitigate future disaster damage.

Labor, HHS, Education - \$3.99 billion

- *Hurricane Education Recovery*: \$2.9 billion to help displaced students get back to school
 - Funding can be used for both public and private schools
- Provides additional funding for public health response activities

Agriculture - \$3.8 billion

- *Crops*: \$2.6 billion in agriculture assistance, including citrus
- *Emergency Watershed Protection*: \$541 million for watershed and flood prevention efforts

- *Emergency Conservation*: \$400 million
- *Rural Development*: \$165 million for rural water and waste disposal systems

Small Business Administration Disaster Loans - \$1.66 billion

- To assist small businesses and homeowners repair or replace real estate, personal property, machinery and equipment, and inventory and business assets.

Defense Facilities – \$1.5 billion

- Repairs Army, Navy, Marine Corps, Air Force, Reserve, National Guard, Coast Guard, and medical military facilities

In addition, requires the Governor of Puerto Rico to submit to Congress a Recovery Plan that was developed in coordination and certified by the Oversight Board describing the Commonwealth’s 12- and 24-month economic and disaster recovery plan.

Division B

Disaster Recovery Reform Act – makes critical reforms to FEMA’s disaster response and recovery program to ensure communities are more resilient to disasters and addresses wildfire prevention, building code enforcement, and eligibility for disaster assistance.

Sec. 2001. Applicability.

This section clarifies applicability of the division to all disasters declared after August 1, 2017, unless otherwise specified.

Sec. 2002. State defined.

This section provides the definition of “State” for the Division.

Sec. 2003. Wildfire prevention.

This section aids states affected by wildfires with hazard mitigation assistance.

Sec. 2004. Additional activities.

This section allows hazard mitigation assistance to be used for activities that help reduce the risk of future damage, hardship, loss, or suffering in any area affected by a wildfire or windstorm.

Sec. 2005. Eligibility for code implementation and enforcement.

This section clarifies the eligibility of surge code enforcers for disaster assistance to facilitate disaster recovery.

Sec. 2006. Program improvements.

This section makes clarifications to improve various Stafford Act programs.

Sec. 2007. Prioritization of facilities.

This section prioritizes assistance to special needs facilities.

Sec. 2008. Guidance on evacuation routes.

This section requires FEMA and the Federal Highway Administration to develop guidance on evacuation routes.

Sec. 2009. Duplication of benefits.

This section allows for the President to waive Section 312 of the Stafford Act to ensure victims of disaster can still receive disaster assistance. It also allows hazard mitigation assistance, under certain circumstances, to be used for federally authorized water resource development projects.

Sec. 2010. State administration of assistance for direct temporary housing and permanent housing construction.

This section authorizes states to use federal disaster assistance to directly administer temporary and permanent housing assistance for disaster victims.

Sec. 2011. Assistance to individuals and households.

This section amends the Stafford Act to increase the amount of assistance available to individuals with disabilities.

Sec. 2012. Multifamily lease and repair assistance.

This section amends the Stafford Act to allow greater flexibility and options for housing disaster victims.

Sec. 2013. Federal disaster assistance nonprofit fairness.

This section clarifies the eligibility of community centers, including houses of worship, for federal disaster assistance.

Sec. 2014. Management costs.

This section amends the Stafford Act to establish fixed rates to reimburse states and local governments for direct and indirect administrative costs incurred to implement disaster recovery projects.

Sec. 2015. Flexibility.

This section allows certain disaster assistance debts to be waived if such assistance was distributed based on an error by FEMA, there was no fault on behalf of the debtor, and the collection of the debt would be against equity and good conscience.

Sec. 2016. Additional disaster assistance.

This section will help improve the economic recovery of regions affected by hurricanes and other disasters.

Sec. 2017. National veterinary emergency teams.

This section establishes a pilot program for veterinarians to accompany urban search and rescue teams to take care of the search and rescue of canines and to provide guidance to communities on pet care and sheltering during disasters.

Sec. 2018. Dispute resolution pilot program.

This section extends the dispute resolution pilot to the year 2022.

Sec. 2019. Emergency relief.

The section allows costs incurred for projects undertaken in response to Hurricanes Maria and Irma to be excluded from the calculation of the emergency relief fund cap for fiscal years 2018 and 2019.

Sec. 2020. Unified Federal environmental and historic preservation review.

This section requires the FEMA Administrator to review the expedited inter-agency environmental and historic preservation review process and survey other agencies' categorical exclusions. It then requires the Administrator to issue regulations to implement any recommendations, including categorical exclusions, identified in the report and survey.

Sec. 2021. Closeout incentives.

This section allows the Administrator to develop incentives that would encourage state, local, and tribal governments to closeout expenditures and activities on a timely basis related to disaster or emergency assistance.

Sec. 2022. Performance of services.

This section allows the Administrator to appoint temporary FEMA employees, after serving continuously for 1 year, to positions in the agency in the same manner as competitive service employees.

Sec. 2023. Study to streamline and consolidate information collection.

This section directs the Administrator, along with other appropriate federal agencies, to conduct a study and develop a plan and an innovative means for sharing information among disaster assistance agencies.

Sec. 2024. Agency accountability.

This section directs FEMA to provide regular reports on their website regarding disaster spending, disaster contracts, and other related disaster activities.

Sec. 2025. Audit of contracts.

This section prohibits FEMA from reimbursing any contract that prohibits oversight or auditing.

Sec. 2026. Inspector general audit of FEMA contracts for tarps and plastic sheeting.

This section requires the Inspector General to audit FEMA contracts for tarps and plastic sheeting in response to Hurricanes Irma and Maria in Puerto Rico and the U.S. Virgin Islands.

Sec. 2027. Relief organizations.

This section clarifies and ensures certain relief organizations may provide assistance in disaster response.

Sec. 2028. Guidance on inundated and submerged roads.

This section ensures guidance is developed to allow FEMA to more accurately evaluate damages to inundated roads.

Sec. 2029. Authorities.

This section clarifies what constitutes a federal action for purposes of consultation.

Sec. 2030. Recoupment of certain assistance prohibited.

This section establishes a three-year statute of limitations for FEMA to recover household and individual assistance.

Sec. 2031. Statute of limitations.

This section implements a statute of limitations on FEMA's ability to recover grant assistance from recipients after a disaster in cases where there is no evidence of fraud, waste, or abuse.

Sec. 2032. Technical assistance and recommendations.

This section requires the FEMA Administrator to provide recommendations on how common areas of condominiums and housing cooperatives may be eligible for disaster assistance.

Sec. 2033. Guidance on hazard mitigation assistance.

This section requires guidance to localities on upkeep of properties purchased with FEMA funds.

Sec. 2034. Local impact.

This section directs FEMA to appropriately weigh and consider severe local impact when evaluating whether to recommend a major disaster declaration, thus ensuring a more level playing field for smaller communities when impacted by severe disasters.

Sec. 2035. Additional hazard mitigation activities.

This section allows hazard mitigation assistance to be used for activities that help reduce the risk of future damage, hardship, loss, or suffering in any area affected by earthquakes.

Sec. 2036. National public infrastructure predisaster hazard mitigation.

This section amends the Stafford Act to modify the predisaster hazard mitigation grant program.

Sec. 2037. Additional mitigation activities.

This section clarifies the activities eligible for hazard mitigation assistance under the Stafford Act.

Sec. 2038. Federal cost-share adjustments for repair, restoration, and replacement

of damaged facilities. This section provides incentives to states and tribal governments for investments that increase disaster resilience.

Division C

Seed cotton is made eligible for the farm safety net

- This provides a measure of certainty to cotton farmers, including many who are still struggling to recover from the recent disasters, as they prepare for the upcoming crop year

Eliminates the caps of crop insurance policies for livestock producers

- This will allow for the development of crop insurance policies for livestock producers, (including dairy farmers), ensuring that adequate risk management tools are available the next time disaster strikes

National Accuracy Clearinghouse

- Requires all States to participate in the National Accuracy Clearinghouse (NAC) to identify and prevent dual state enrollment in Supplemental Nutrition Assistance Program (SNAP) and recoup erroneous SNAP payments.

Division D

- Includes language related to budgetary effects, scorekeeping, and PAYGO scorecard effects.