

**AMENDMENT TO H.R. 648**

**OFFERED BY MR. DIAZ-BALART OF FLORIDA**

At the end of the bill, add the following:

1       **DIVISION H—IMMIGRATION**  
2       **TITLE I—DREAM ACT OF 2019**

3       **SECTION 101. SHORT TITLE.**

4       This title may be cited as the “Dream Act of 2019”.

5       **SEC. 102. DEFINITIONS.**

6       In this title:

7           (1) **IN GENERAL.**—Except as otherwise specifi-  
8           cally provided, any term used in this title that is  
9           used in the immigration laws shall have the meaning  
10          given such term in the immigration laws.

11          (2) **DACA.**—The term “DACA” means de-  
12          ferred action granted to an alien pursuant to the  
13          Deferred Action for Childhood Arrivals program an-  
14          nounced by President Obama on June 15, 2012.

15          (3) **DISABILITY.**—The term “disability” has the  
16          meaning given such term in section 3(1) of the  
17          Americans with Disabilities Act of 1990 (42 U.S.C.  
18          12102(1)).

19          (4) **EARLY CHILDHOOD EDUCATION PRO-**  
20          **GRAM.**—The term “early childhood education pro-

1       gram” has the meaning given such term in section  
2       103 of the Higher Education Act of 1965 (20  
3       U.S.C. 1003).

4           (5) ELEMENTARY SCHOOL; HIGH SCHOOL; SEC-  
5       ONDARY SCHOOL.—The terms “elementary school”,  
6       “high school”, and “secondary school” have the  
7       meanings given such terms in section 8101 of the  
8       Elementary and Secondary Education Act of 1965  
9       (20 U.S.C. 7801).

10          (6) IMMIGRATION LAWS.—The term “immigra-  
11       tion laws” has the meaning given such term in sec-  
12       tion 101(a)(17) of the Immigration and Nationality  
13       Act (8 U.S.C. 1101(a)(17)).

14          (7) INSTITUTION OF HIGHER EDUCATION.—The  
15       term “institution of higher education”—

16           (A) except as provided in subparagraph  
17           (B), has the meaning given such term in section  
18           102 of the Higher Education Act of 1965 (20  
19           U.S.C. 1002); and

20           (B) does not include an institution of high-  
21           er education outside of the United States.

22          (8) PERMANENT RESIDENT STATUS ON A CON-  
23       DITIONAL BASIS.—The term “permanent resident  
24       status on a conditional basis” means status as an

1 alien lawfully admitted for permanent residence on  
2 a conditional basis under this title.

3 (9) POVERTY LINE.—The term “poverty line”  
4 has the meaning given such term in section 673 of  
5 the Community Services Block Grant Act (42 U.S.C.  
6 9902).

7 (10) SECRETARY.—Except as otherwise specifi-  
8 cally provided, the term “Secretary” means the Sec-  
9 retary of Homeland Security.

10 (11) UNIFORMED SERVICES.—The term “Uni-  
11 formed Services” has the meaning given the term  
12 “uniformed services” in section 101(a) of title 10,  
13 United States Code.

14 **SEC. 103. PERMANENT RESIDENT STATUS ON A CONDI-**  
15 **TIONAL BASIS FOR CERTAIN LONG-TERM**  
16 **RESIDENTS WHO ENTERED THE UNITED**  
17 **STATES AS CHILDREN.**

18 (a) CONDITIONAL BASIS FOR STATUS.—Notwith-  
19 standing any other provision of law, an alien shall be con-  
20 sidered, at the time of obtaining the status of an alien  
21 lawfully admitted for permanent residence under this sec-  
22 tion, to have obtained such status on a conditional basis  
23 subject to the provisions under this title.

24 (b) REQUIREMENTS.—

1           (1) IN GENERAL.—Notwithstanding any other  
2           provision of law, the Secretary shall cancel the re-  
3           moval of, and adjust to the status of an alien law-  
4           fully admitted for permanent residence on a condi-  
5           tional basis, an alien who is inadmissible or deport-  
6           able from the United States or is in temporary pro-  
7           tected status under section 244 of the Immigration  
8           and Nationality Act (8 U.S.C. 1254a), if—

9                   (A) the alien has been continuously phys-  
10                  ically present in the United States since the  
11                  date that is 4 years before the date of the en-  
12                  actment of this Act;

13                  (B) the alien was younger than 18 years of  
14                  age on the date on which the alien initially en-  
15                  tered the United States;

16                  (C) subject to paragraphs (2) and (3), the  
17                  alien—

18                          (i) is not inadmissible under para-  
19                          graph (2), (3), (6)(E), (6)(G), (8),  
20                          (10)(A), (10)(C), or (10)(D) of section  
21                          212(a) of the Immigration and Nationality  
22                          Act (8 U.S.C. 1182(a));

23                          (ii) has not ordered, incited, assisted,  
24                          or otherwise participated in the persecution  
25                          of any person on account of race, religion,

1                   nationality, membership in a particular so-  
2                   cial group, or political opinion; and

3                   (iii) has not been convicted of—

4                   (I) any offense under Federal or  
5                   State law, other than a State offense  
6                   for which an essential element is the  
7                   alien's immigration status, that is  
8                   punishable by a maximum term of im-  
9                   prisonment of more than 1 year; or

10                  (II) three or more offenses under  
11                  Federal or State law, other than State  
12                  offenses for which an essential ele-  
13                  ment is the alien's immigration sta-  
14                  tus, for which the alien was convicted  
15                  on different dates for each of the 3 of-  
16                  fenses and imprisoned for an aggre-  
17                  gate of 90 days or more; and

18                  (D) the alien—

19                  (i) has been admitted to an institution  
20                  of higher education;

21                  (ii) has earned a high school diploma  
22                  or a commensurate alternative award from  
23                  a public or private high school, or has ob-  
24                  tained a general education development  
25                  certificate recognized under State law or a

1 high school equivalency diploma in the  
2 United States; or

3 (iii) is enrolled in secondary school or  
4 in an education program assisting students  
5 in—

6 (I) obtaining a regular high  
7 school diploma or its recognized equiv-  
8 alent under State law; or

9 (II) in passing a general edu-  
10 cational development exam, a high  
11 school equivalence diploma examina-  
12 tion, or other similar State-authorized  
13 exam.

14 (2) WAIVER.—With respect to any benefit  
15 under this title, the Secretary may waive the  
16 grounds of inadmissibility under paragraph (2),  
17 (6)(E), (6)(G), or (10)(D) of section 212(a) of the  
18 Immigration and Nationality Act (8 U.S.C. 1182(a))  
19 for humanitarian purposes or family unity or if the  
20 waiver is otherwise in the public interest.

21 (3) TREATMENT OF EXPUNGED CONVIC-  
22 TIONS.—An expunged conviction shall not automati-  
23 cally be treated as an offense under paragraph (1).  
24 The Secretary shall evaluate expunged convictions  
25 on a case-by-case basis according to the nature and

1 severity of the offense to determine whether, under  
2 the particular circumstances, the Secretary deter-  
3 mines that the alien should be eligible for cancella-  
4 tion of removal, adjustment to permanent resident  
5 status on a conditional basis, or other adjustment of  
6 status.

7 (4) DACA RECIPIENTS.—The Secretary shall  
8 cancel the removal of, and adjust to the status of an  
9 alien lawfully admitted for permanent residence on  
10 a conditional basis, an alien who was granted DACA  
11 unless the alien has engaged in conduct since the  
12 alien was granted DACA that would make the alien  
13 ineligible for DACA.

14 (5) APPLICATION FEE.—

15 (A) IN GENERAL.—The Secretary may re-  
16 quire an alien applying for permanent resident  
17 status on a conditional basis under this section  
18 to pay a reasonable fee that is commensurate  
19 with the cost of processing the application.

20 (B) EXEMPTION.—An applicant may be  
21 exempted from paying the fee required under  
22 subparagraph (A) if the alien—

23 (i)(I) is younger than 18 years of age;  
24 (II) received total income, during the  
25 12-month period immediately preceding the

1 date on which the alien files an application  
2 under this section, that is less than 150  
3 percent of the poverty line; and

4 (III) is in foster care or otherwise  
5 lacking any parental or other familial sup-  
6 port;

7 (ii) is younger than 18 years of age  
8 and is homeless;

9 (iii)(I) cannot care for himself or her-  
10 self because of a serious, chronic disability;  
11 and

12 (II) received total income, during the  
13 12-month period immediately preceding the  
14 date on which the alien files an application  
15 under this section, that is less than 150  
16 percent of the poverty line; or

17 (iv)(I) during the 12-month period im-  
18 mediately preceding the date on which the  
19 alien files an application under this sec-  
20 tion, accumulated \$10,000 or more in debt  
21 as a result of unreimbursed medical ex-  
22 penses incurred by the alien or an imme-  
23 diate family member of the alien; and

24 (II) received total income, during the  
25 12-month period immediately preceding the

1 date on which the alien files an application  
2 under this section, that is less than 150  
3 percent of the poverty line.

4 (6) SUBMISSION OF BIOMETRIC AND BIO-  
5 GRAPHIC DATA.—The Secretary may not grant an  
6 alien permanent resident status on a conditional  
7 basis under this section unless the alien submits bio-  
8 metric and biographic data, in accordance with pro-  
9 cedures established by the Secretary. The Secretary  
10 shall provide an alternative procedure for aliens who  
11 are unable to provide such biometric or biographic  
12 data because of a physical impairment.

13 (7) BACKGROUND CHECKS.—

14 (A) REQUIREMENT FOR BACKGROUND  
15 CHECKS.—The Secretary shall utilize biometric,  
16 biographic, and other data that the Secretary  
17 determines appropriate—

18 (i) to conduct security and law en-  
19 forcement background checks of an alien  
20 seeking permanent resident status on a  
21 conditional basis under this section; and

22 (ii) to determine whether there is any  
23 criminal, national security, or other factor  
24 that would render the alien ineligible for  
25 such status.

1 (B) COMPLETION OF BACKGROUND  
2 CHECKS.—The security and law enforcement  
3 background checks of an alien required under  
4 subparagraph (A) shall be completed, to the  
5 satisfaction of the Secretary, before the date on  
6 which the Secretary grants such alien perma-  
7 nent resident status on a conditional basis  
8 under this section.

9 (8) MEDICAL EXAMINATION.—

10 (A) REQUIREMENT.—An alien applying for  
11 permanent resident status on a conditional  
12 basis under this section shall undergo a medical  
13 examination.

14 (B) POLICIES AND PROCEDURES.—The  
15 Secretary, with the concurrence of the Sec-  
16 retary of Health and Human Services, shall  
17 prescribe policies and procedures for the nature  
18 and timing of the examination required under  
19 subparagraph (A).

20 (9) MILITARY SELECTIVE SERVICE.—An alien  
21 applying for permanent resident status on a condi-  
22 tional basis under this section shall establish that  
23 the alien has registered under the Military Selective  
24 Service Act (50 U.S.C. 3801 et seq.), if the alien is  
25 subject to registration under such Act.

1 (c) DETERMINATION OF CONTINUOUS PRESENCE.—

2 (1) TERMINATION OF CONTINUOUS PERIOD.—

3 Any period of continuous physical presence in the  
4 United States of an alien who applies for permanent  
5 resident status on a conditional basis under this sec-  
6 tion shall not terminate when the alien is served a  
7 notice to appear under section 239(a) of the Immi-  
8 gration and Nationality Act (8 U.S.C. 1229(a)).

9 (2) TREATMENT OF CERTAIN BREAKS IN PRES-  
10 ENCE.—

11 (A) IN GENERAL.—Except as provided in  
12 subparagraphs (B) and (C), an alien shall be  
13 considered to have failed to maintain contin-  
14 uous physical presence in the United States  
15 under subsection (b)(1)(A) if the alien has de-  
16 parted from the United States for any period  
17 exceeding 90 days or for any periods, in the ag-  
18 gregate, exceeding 180 days.

19 (B) EXTENSIONS FOR EXTENUATING CIR-  
20 CUMSTANCES.—The Secretary may extend the  
21 time periods described in subparagraph (A) for  
22 an alien who demonstrates that the failure to  
23 timely return to the United States was due to  
24 extenuating circumstances beyond the alien's  
25 control, including the serious illness of the

1 alien, or death or serious illness of a parent,  
2 grandparent, sibling, or child of the alien.

3 (C) TRAVEL AUTHORIZED BY THE SEC-  
4 RETARY.—Any period of travel outside of the  
5 United States by an alien that was authorized  
6 by the Secretary may not be counted toward  
7 any period of departure from the United States  
8 under subparagraph (A).

9 (d) LIMITATION ON REMOVAL OF CERTAIN  
10 ALIENS.—

11 (1) IN GENERAL.—The Secretary or the Attor-  
12 ney General may not remove an alien who appears  
13 prima facie eligible for relief under this section.

14 (2) ALIENS SUBJECT TO REMOVAL.—The Sec-  
15 retary shall provide a reasonable opportunity to  
16 apply for relief under this section to any alien who  
17 requests such an opportunity or who appears prima  
18 facie eligible for relief under this section if the alien  
19 is in removal proceedings, is the subject of a final  
20 removal order, or is the subject of a voluntary depar-  
21 ture order.

22 (3) CERTAIN ALIENS ENROLLED IN ELEMEN-  
23 TARY OR SECONDARY SCHOOL.—

1           (A) STAY OF REMOVAL.—The Attorney  
2           General shall stay the removal proceedings of  
3           an alien who—

4                   (i) meets all the requirements under  
5                   subparagraphs (A), (B), and (C) of sub-  
6                   section (b)(1), subject to paragraphs (2)  
7                   and (3) of such subsection;

8                   (ii) is at least 5 years of age; and

9                   (iii) is enrolled in an elementary  
10                  school, a secondary school, or an early  
11                  childhood education program.

12           (B) COMMENCEMENT OF REMOVAL PRO-  
13           CEEDINGS.—The Secretary may not commence  
14           removal proceedings for an alien described in  
15           subparagraph (A).

16           (C) EMPLOYMENT.—An alien whose re-  
17           moval is stayed pursuant to subparagraph (A)  
18           or who may not be placed in removal pro-  
19           ceedings pursuant to subparagraph (B) shall,  
20           upon application to the Secretary, be granted  
21           an employment authorization document.

22           (D) LIFT OF STAY.—The Secretary or At-  
23           torney General may not lift the stay granted to  
24           an alien under subparagraph (A) unless the

1 alien ceases to meet the requirements under  
2 such subparagraph.

3 (e) EXEMPTION FROM NUMERICAL LIMITATIONS.—

4 Nothing in this section or in any other law may be con-  
5 strued to apply a numerical limitation on the number of  
6 aliens who may be granted permanent resident status on  
7 a conditional basis under this title.

8 **SEC. 104. TERMS OF PERMANENT RESIDENT STATUS ON A**  
9 **CONDITIONAL BASIS.**

10 (a) PERIOD OF STATUS.—Permanent resident status  
11 on a conditional basis is—

12 (1) valid for a period of 8 years, unless such pe-  
13 riod is extended by the Secretary; and

14 (2) subject to termination under subsection (c).

15 (b) NOTICE OF REQUIREMENTS.—At the time an  
16 alien obtains permanent resident status on a conditional  
17 basis, the Secretary shall provide notice to the alien re-  
18 garding the provisions of this title and the requirements  
19 to have the conditional basis of such status removed.

20 (c) TERMINATION OF STATUS.—The Secretary may  
21 terminate the permanent resident status on a conditional  
22 basis of an alien only if the Secretary—

23 (1) determines that the alien ceases to meet the  
24 requirements under paragraph (1)(C) of section

1 903(b), subject to paragraphs (2) and (3) of that  
2 section; and

3 (2) prior to the termination, provides the  
4 alien—

5 (A) notice of the proposed termination;  
6 and

7 (B) the opportunity for a hearing to pro-  
8 vide evidence that the alien meets such require-  
9 ments or otherwise contest the termination.

10 (d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

11 (1) IN GENERAL.—Except as provided in para-  
12 graph (2), an alien whose permanent resident status  
13 on a conditional basis expires under subsection  
14 (a)(1) or is terminated under subsection (c) or  
15 whose application for such status is denied shall re-  
16 turn to the immigration status that the alien had  
17 immediately before receiving permanent resident sta-  
18 tus on a conditional basis or applying for such sta-  
19 tus, as appropriate.

20 (2) SPECIAL RULE FOR TEMPORARY PRO-  
21 TECTED STATUS.—An alien whose permanent resi-  
22 dent status on a conditional basis expires under sub-  
23 section (a)(1) or is terminated under subsection (c)  
24 or whose application for such status is denied and  
25 who had temporary protected status under section

1       244 of the Immigration and Nationality Act (8  
2       U.S.C. 1254a) immediately before receiving or ap-  
3       plying for such permanent resident status on a con-  
4       ditional basis, as appropriate, may not return to  
5       such temporary protected status if—

6               (A) the relevant designation under section  
7               244(b) of the Immigration and Nationality Act  
8               (8 U.S.C. 1254a(b)) has been terminated; or

9               (B) the Secretary determines that the rea-  
10              son for terminating the permanent resident sta-  
11              tus on a conditional basis renders the alien in-  
12              eligible for such temporary protected status.

13 **SEC. 105. REMOVAL OF CONDITIONAL BASIS OF PERMA-**  
14 **NENT RESIDENT STATUS.**

15       (a) **ELIGIBILITY FOR REMOVAL OF CONDITIONAL**  
16 **BASIS.—**

17               (1) **IN GENERAL.—**Subject to paragraph (2),  
18       the Secretary shall remove the conditional basis of  
19       an alien’s permanent resident status granted under  
20       this title and grant the alien status as an alien law-  
21       fully admitted for permanent residence if the alien—

22               (A) is described in paragraph (1)(C) of  
23               section 903(b), subject to paragraphs (2) and  
24               (3) of that section;

1 (B) has not abandoned the alien's resi-  
2 dence in the United States; and

3 (C)(i) has acquired a degree from an insti-  
4 tution of higher education or has completed at  
5 least 2 years, in good standing, in a program  
6 for a bachelor's degree or higher degree in the  
7 United States;

8 (ii) has served in the Uniformed Services  
9 for at least 2 years and, if discharged, received  
10 an honorable discharge; or

11 (iii) has been employed for periods totaling  
12 at least 3 years and at least 75 percent of the  
13 time that the alien has had a valid employment  
14 authorization, except that any period during  
15 which the alien is not employed while having a  
16 valid employment authorization and is enrolled  
17 in an institution of higher education, a sec-  
18 ondary school, or an education program de-  
19 scribed in section 903(b)(1)(D)(iii), shall not  
20 count toward the time requirements under this  
21 clause.

22 (2) HARDSHIP EXCEPTION.—

23 (A) IN GENERAL.—The Secretary shall re-  
24 move the conditional basis of an alien's perma-  
25 nent resident status and grant the alien status

1 as an alien lawfully admitted for permanent  
2 residence if the alien—

3 (i) satisfies the requirements under  
4 subparagraphs (A) and (B) of paragraph  
5 (1);

6 (ii) demonstrates compelling cir-  
7 cumstances for the inability to satisfy the  
8 requirements under subparagraph (C) of  
9 such paragraph; and

10 (iii) demonstrates that—

11 (I) the alien has a disability;

12 (II) the alien is a full-time care-  
13 giver of a minor child; or

14 (III) the removal of the alien  
15 from the United States would result  
16 in extreme hardship to the alien or  
17 the alien's spouse, parent, or child  
18 who is a national of the United States  
19 or is lawfully admitted for permanent  
20 residence.

21 (3) CITIZENSHIP REQUIREMENT.—

22 (A) IN GENERAL.—Except as provided in  
23 subparagraph (B), the conditional basis of an  
24 alien's permanent resident status granted under  
25 this title may not be removed unless the alien

1 demonstrates that the alien satisfies the re-  
2 quirements under section 312(a) of the Immi-  
3 gration and Nationality Act (8 U.S.C. 1423(a)).

4 (B) EXCEPTION.—Subparagraph (A) shall  
5 not apply to an alien who is unable to meet the  
6 requirements under such section 312(a) due to  
7 disability.

8 (4) APPLICATION FEE.—

9 (A) IN GENERAL.—The Secretary may re-  
10 quire aliens applying for lawful permanent resi-  
11 dent status under this section to pay a reason-  
12 able fee that is commensurate with the cost of  
13 processing the application.

14 (B) EXEMPTION.—An applicant may be  
15 exempted from paying the fee required under  
16 subparagraph (A) if the alien—

17 (i)(I) is younger than 18 years of age;

18 (II) received total income, during the  
19 12-month period immediately preceding the  
20 date on which the alien files an application  
21 under this section, that is less than 150  
22 percent of the poverty line; and

23 (III) is in foster care or otherwise  
24 lacking any parental or other familial sup-  
25 port;

1 (ii) is younger than 18 years of age  
2 and is homeless;

3 (iii)(I) cannot care for himself or her-  
4 self because of a serious, chronic disability;  
5 and

6 (II) received total income, during the  
7 12-month period immediately preceding the  
8 date on which the alien files an application  
9 under this section, that is less than 150  
10 percent of the poverty line; or

11 (iv)(I) during the 12-month period im-  
12 mediately preceding the date on which the  
13 alien files an application under this sec-  
14 tion, the alien accumulated \$10,000 or  
15 more in debt as a result of unreimbursed  
16 medical expenses incurred by the alien or  
17 an immediate family member of the alien;  
18 and

19 (II) received total income, during the  
20 12-month period immediately preceding the  
21 date on which the alien files an application  
22 under this section, that is less than 150  
23 percent of the poverty line.

24 (5) SUBMISSION OF BIOMETRIC AND BIO-  
25 GRAPHIC DATA.—The Secretary may not remove the

1 conditional basis of an alien's permanent resident  
2 status unless the alien submits biometric and bio-  
3 graphic data, in accordance with procedures estab-  
4 lished by the Secretary. The Secretary shall provide  
5 an alternative procedure for applicants who are un-  
6 able to provide such biometric data because of a  
7 physical impairment.

8 (6) BACKGROUND CHECKS.—

9 (A) REQUIREMENT FOR BACKGROUND  
10 CHECKS.—The Secretary shall utilize biometric,  
11 biographic, and other data that the Secretary  
12 determines appropriate—

13 (i) to conduct security and law en-  
14 forcement background checks of an alien  
15 applying for removal of the conditional  
16 basis of the alien's permanent resident sta-  
17 tus; and

18 (ii) to determine whether there is any  
19 criminal, national security, or other factor  
20 that would render the alien ineligible for  
21 removal of such conditional basis.

22 (B) COMPLETION OF BACKGROUND  
23 CHECKS.—The security and law enforcement  
24 background checks of an alien required under  
25 subparagraph (A) shall be completed, to the

1 satisfaction of the Secretary, before the date on  
2 which the Secretary removes the conditional  
3 basis of the alien's permanent resident status.

4 (b) TREATMENT FOR PURPOSES OF NATURALIZA-  
5 TION.—

6 (1) IN GENERAL.—For purposes of title III of  
7 the Immigration and Nationality Act (8 U.S.C. 1401  
8 et seq.), an alien granted permanent resident status  
9 on a conditional basis shall be considered to have  
10 been admitted to the United States, and be present  
11 in the United States, as an alien lawfully admitted  
12 for permanent residence.

13 (2) LIMITATION ON APPLICATION FOR NATU-  
14 RALIZATION.—An alien may not apply for natu-  
15 ralization while the alien is in permanent resident  
16 status on a conditional basis.

17 **SEC. 106. DOCUMENTATION REQUIREMENTS.**

18 (a) DOCUMENTS ESTABLISHING IDENTITY.—An  
19 alien's application for permanent resident status on a con-  
20 ditional basis may include, as proof of identity—

21 (1) a passport or national identity document  
22 from the alien's country of origin that includes the  
23 alien's name and the alien's photograph or finger-  
24 print;

1           (2) the alien's birth certificate and an identity  
2           card that includes the alien's name and photograph;

3           (3) a school identification card that includes the  
4           alien's name and photograph, and school records  
5           showing the alien's name and that the alien is or  
6           was enrolled at the school;

7           (4) a Uniformed Services identification card  
8           issued by the Department of Defense;

9           (5) any immigration or other document issued  
10          by the United States Government bearing the alien's  
11          name and photograph; or

12          (6) a State-issued identification card bearing  
13          the alien's name and photograph.

14          (b) DOCUMENTS ESTABLISHING CONTINUOUS PHYS-  
15          ICAL PRESENCE IN THE UNITED STATES.—To establish  
16          that an alien has been continuously physically present in  
17          the United States, as required under section 903(b)(1)(A),  
18          or to establish that an alien has not abandoned residence  
19          in the United States, as required under section  
20          905(a)(1)(B), the alien may submit documents to the Sec-  
21          retary, including—

22                 (1) employment records that include the em-  
23                 ployer's name and contact information;

24                 (2) records from any educational institution the  
25                 alien has attended in the United States;

- 1 (3) records of service from the Uniformed Serv-
- 2 ices;
- 3 (4) official records from a religious entity con-
- 4 firming the alien's participation in a religious cere-
- 5 mony;
- 6 (5) passport entries;
- 7 (6) a birth certificate for a child who was born
- 8 in the United States;
- 9 (7) automobile license receipts or registration;
- 10 (8) deeds, mortgages, or rental agreement con-
- 11 tracts;
- 12 (9) tax receipts;
- 13 (10) insurance policies;
- 14 (11) remittance records;
- 15 (12) rent receipts or utility bills bearing the
- 16 alien's name or the name of an immediate family
- 17 member of the alien, and the alien's address;
- 18 (13) copies of money order receipts for money
- 19 sent in or out of the United States;
- 20 (14) dated bank transactions; or
- 21 (15) two or more sworn affidavits from individ-
- 22 uals who are not related to the alien who have direct
- 23 knowledge of the alien's continuous physical pres-
- 24 ence in the United States, that contain—

1 (A) the name, address, and telephone num-  
2 ber of the affiant; and

3 (B) the nature and duration of the rela-  
4 tionship between the affiant and the alien.

5 (c) DOCUMENTS ESTABLISHING INITIAL ENTRY  
6 INTO THE UNITED STATES.—To establish under section  
7 903(b)(1)(B) that an alien was younger than 18 years of  
8 age on the date on which the alien initially entered the  
9 United States, an alien may submit documents to the Sec-  
10 retary, including—

11 (1) an admission stamp on the alien's passport;

12 (2) records from any educational institution the  
13 alien has attended in the United States;

14 (3) any document from the Department of Jus-  
15 tice or the Department of Homeland Security stat-  
16 ing the alien's date of entry into the United States;

17 (4) hospital or medical records showing medical  
18 treatment or hospitalization, the name of the med-  
19 ical facility or physician, and the date of the treat-  
20 ment or hospitalization;

21 (5) rent receipts or utility bills bearing the  
22 alien's name or the name of an immediate family  
23 member of the alien, and the alien's address;

24 (6) employment records that include the em-  
25 ployer's name and contact information;

1 (7) official records from a religious entity con-  
2 firming the alien's participation in a religious cere-  
3 mony;

4 (8) a birth certificate for a child who was born  
5 in the United States;

6 (9) automobile license receipts or registration;

7 (10) deeds, mortgages, or rental agreement con-  
8 tracts;

9 (11) tax receipts;

10 (12) travel records;

11 (13) copies of money order receipts sent in or  
12 out of the country;

13 (14) dated bank transactions;

14 (15) remittance records; or

15 (16) insurance policies.

16 (d) DOCUMENTS ESTABLISHING ADMISSION TO AN  
17 INSTITUTION OF HIGHER EDUCATION.—To establish that  
18 an alien has been admitted to an institution of higher edu-  
19 cation, the alien shall submit to the Secretary a document  
20 from the institution of higher education certifying that the  
21 alien—

22 (1) has been admitted to the institution; or

23 (2) is currently enrolled in the institution as a  
24 student.

1 (e) DOCUMENTS ESTABLISHING RECEIPT OF A DE-  
2 GREE FROM AN INSTITUTION OF HIGHER EDUCATION.—

3 To establish that an alien has acquired a degree from an  
4 institution of higher education in the United States, the  
5 alien shall submit to the Secretary a diploma or other doc-  
6 ument from the institution stating that the alien has re-  
7 ceived such a degree.

8 (f) DOCUMENTS ESTABLISHING RECEIPT OF HIGH  
9 SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOP-  
10 MENT CERTIFICATE, OR A RECOGNIZED EQUIVALENT.—

11 To establish that an alien has earned a high school di-  
12 ploma or a commensurate alternative award from a public  
13 or private high school, or has obtained a general edu-  
14 cational development certificate recognized under State  
15 law or a high school equivalency diploma in the United  
16 States, the alien shall submit to the Secretary—

17 (1) a high school diploma, certificate of comple-  
18 tion, or other alternate award;

19 (2) a high school equivalency diploma or certifi-  
20 cate recognized under State law; or

21 (3) evidence that the alien passed a State-au-  
22 thorized exam, including the general educational de-  
23 velopment exam, in the United States.

24 (g) DOCUMENTS ESTABLISHING ENROLLMENT IN AN  
25 EDUCATIONAL PROGRAM.—To establish that an alien is

1 enrolled in any school or education program described in  
2 section 903(b)(1)(D)(iii), 903(d)(3)(A)(iii), or  
3 905(a)(1)(C), the alien shall submit school records from  
4 the United States school that the alien is currently attend-  
5 ing that include—

6 (1) the name of the school; and

7 (2) the alien's name, periods of attendance, and  
8 current grade or educational level.

9 (h) DOCUMENTS ESTABLISHING EXEMPTION FROM  
10 APPLICATION FEES.—To establish that an alien is exempt  
11 from an application fee under section 903(b)(5)(B) or  
12 905(a)(4)(B), the alien shall submit to the Secretary the  
13 following relevant documents:

14 (1) DOCUMENTS TO ESTABLISH AGE.—To es-  
15 tablish that an alien meets an age requirement, the  
16 alien shall provide proof of identity, as described in  
17 subsection (a), that establishes that the alien is  
18 younger than 18 years of age.

19 (2) DOCUMENTS TO ESTABLISH INCOME.—To  
20 establish the alien's income, the alien shall provide—

21 (A) employment records that have been  
22 maintained by the Social Security Administra-  
23 tion, the Internal Revenue Service, or any other  
24 Federal, State, or local government agency;

25 (B) bank records; or

1 (C) at least 2 sworn affidavits from indi-  
2 viduals who are not related to the alien and  
3 who have direct knowledge of the alien's work  
4 and income that contain—

5 (i) the name, address, and telephone  
6 number of the affiant; and

7 (ii) the nature and duration of the re-  
8 lationship between the affiant and the  
9 alien.

10 (3) DOCUMENTS TO ESTABLISH FOSTER CARE,  
11 LACK OF FAMILIAL SUPPORT, HOMELESSNESS, OR  
12 SERIOUS, CHRONIC DISABILITY.—To establish that  
13 the alien was in foster care, lacks parental or famil-  
14 ial support, is homeless, or has a serious, chronic  
15 disability, the alien shall provide at least 2 sworn af-  
16 fidavits from individuals who are not related to the  
17 alien and who have direct knowledge of the cir-  
18 cumstances that contain—

19 (A) a statement that the alien is in foster  
20 care, otherwise lacks any parental or other fa-  
21 miliar support, is homeless, or has a serious,  
22 chronic disability, as appropriate;

23 (B) the name, address, and telephone num-  
24 ber of the affiant; and

1 (C) the nature and duration of the rela-  
2 tionship between the affiant and the alien.

3 (4) DOCUMENTS TO ESTABLISH UNPAID MED-  
4 ICAL EXPENSE.—To establish that the alien has debt  
5 as a result of unreimbursed medical expenses, the  
6 alien shall provide receipts or other documentation  
7 from a medical provider that—

8 (A) bear the provider's name and address;

9 (B) bear the name of the individual receiv-  
10 ing treatment; and

11 (C) document that the alien has accumu-  
12 lated \$10,000 or more in debt in the past 12  
13 months as a result of unreimbursed medical ex-  
14 penses incurred by the alien or an immediate  
15 family member of the alien.

16 (i) DOCUMENTS ESTABLISHING QUALIFICATION FOR  
17 HARDSHIP EXEMPTION.—To establish that an alien satis-  
18 fies one of the criteria for the hardship exemption set forth  
19 in section 905(a)(2)(A)(iii), the alien shall submit to the  
20 Secretary at least 2 sworn affidavits from individuals who  
21 are not related to the alien and who have direct knowledge  
22 of the circumstances that warrant the exemption, that  
23 contain—

24 (1) the name, address, and telephone number of  
25 the affiant; and

1           (2) the nature and duration of the relationship  
2           between the affiant and the alien.

3           (j) DOCUMENTS ESTABLISHING SERVICE IN THE  
4 UNIFORMED SERVICES.—To establish that an alien has  
5 served in the Uniformed Services for at least 2 years and,  
6 if discharged, received an honorable discharge, the alien  
7 shall submit to the Secretary—

8           (1) a Department of Defense form DD–214;

9           (2) a National Guard Report of Separation and  
10 Record of Service form 22;

11           (3) personnel records for such service from the  
12 appropriate Uniformed Service; or

13           (4) health records from the appropriate Uni-  
14 formed Service.

15           (k) DOCUMENTS ESTABLISHING EMPLOYMENT.—

16           (1) IN GENERAL.—An alien may satisfy the em-  
17 ployment requirement under section  
18 905(a)(1)(C)(iii) by submitting records that—

19           (A) establish compliance with such employ-  
20 ment requirement; and

21           (B) have been maintained by the Social Se-  
22 curity Administration, the Internal Revenue  
23 Service, or any other Federal, State, or local  
24 government agency.

1           (2) OTHER DOCUMENTS.—An alien who is un-  
2           able to submit the records described in paragraph  
3           (1) may satisfy the employment requirement by sub-  
4           mitting at least 2 types of reliable documents that  
5           provide evidence of employment, including—

6                   (A) bank records;

7                   (B) business records;

8                   (C) employer records;

9                   (D) records of a labor union, day labor  
10           center, or organization that assists workers in  
11           employment;

12                   (E) sworn affidavits from individuals who  
13           are not related to the alien and who have direct  
14           knowledge of the alien's work, that contain—

15                           (i) the name, address, and telephone  
16                           number of the affiant; and

17                           (ii) the nature and duration of the re-  
18                           lationship between the affiant and the  
19                           alien; and

20                   (F) remittance records.

21           (1) AUTHORITY TO PROHIBIT USE OF CERTAIN DOC-  
22           UMENTS.—If the Secretary determines, after publication  
23           in the Federal Register and an opportunity for public com-  
24           ment, that any document or class of documents does not  
25           reliably establish identity or that permanent resident sta-

1 tus on a conditional basis is being obtained fraudulently  
2 to an unacceptable degree, the Secretary may prohibit or  
3 restrict the use of such document or class of documents.

4 **SEC. 107. RULEMAKING.**

5 (a) INITIAL PUBLICATION.—Not later than 90 days  
6 after the date of the enactment of this Act, the Secretary  
7 shall publish regulations implementing this title in the  
8 Federal Register. Such regulations shall allow eligible indi-  
9 viduals to immediately apply affirmatively for the relief  
10 available under section 903 without being placed in re-  
11 moval proceedings.

12 (b) INTERIM REGULATIONS.—Notwithstanding sec-  
13 tion 553 of title 5, United States Code, the regulations  
14 published pursuant to subsection (a) shall be effective, on  
15 an interim basis, immediately upon publication in the Fed-  
16 eral Register, but may be subject to change and revision  
17 after public notice and opportunity for a period of public  
18 comment.

19 (c) FINAL REGULATIONS.—Not later than 180 days  
20 after the date on which interim regulations are published  
21 under this section, the Secretary shall publish final regula-  
22 tions implementing this Act.

23 (d) PAPERWORK REDUCTION ACT.—The require-  
24 ments under chapter 35 of title 44, United States Code,

1 (commonly known as the “Paperwork Reduction Act”)  
2 shall not apply to any action to implement this Act.

3 **SEC. 108. CONFIDENTIALITY OF INFORMATION.**

4 (a) IN GENERAL.—The Secretary may not disclose  
5 or use information provided in applications filed under this  
6 title or in requests for DACA for the purpose of immigra-  
7 tion enforcement.

8 (b) REFERRALS PROHIBITED.—The Secretary may  
9 not refer any individual who has been granted permanent  
10 resident status on a conditional basis or who was granted  
11 DACA to U.S. Immigration and Customs Enforcement,  
12 U.S. Customs and Border Protection, or any designee of  
13 either such entity.

14 (c) LIMITED EXCEPTION.—Notwithstanding sub-  
15 sections (a) and (b), information provided in an applica-  
16 tion for permanent resident status on a conditional basis  
17 or a request for DACA may be shared with Federal secu-  
18 rity and law enforcement agencies—

19 (1) for assistance in the consideration of an ap-  
20 plication for permanent resident status on a condi-  
21 tional basis;

22 (2) to identify or prevent fraudulent claims;

23 (3) for national security purposes; or

24 (4) for the investigation or prosecution of any  
25 felony not related to immigration status.

1 (d) PENALTY.—Any person who knowingly uses, pub-  
2 lishes, or permits information to be examined in violation  
3 of this section shall be fined not more than \$10,000.

4 **SEC. 109. RESTORATION OF STATE OPTION TO DETERMINE**  
5 **RESIDENCY FOR PURPOSES OF HIGHER EDU-**  
6 **CATION BENEFITS.**

7 (a) IN GENERAL.—Section 505 of the Illegal Immi-  
8 gration Reform and Immigrant Responsibility Act of 1996  
9 (8 U.S.C. 1623) is repealed.

10 (b) EFFECTIVE DATE.—The repeal under subsection  
11 (a) shall take effect as if included in the original enact-  
12 ment of the Illegal Immigration Reform and Immigrant  
13 Responsibility Act of 1996 (division C of Public Law 104-  
14 208; 110 Stat. 3009–546).

15 **TITLE II—BORDER SECURITY**  
16 **FUNDING**

17 **SEC. 201. BORDER SECURITY FUNDING.**

18 There is hereby appropriated to the “U.S. Customs  
19 and Border Protection--Procurement, Construction, and  
20 Improvements” account, out of any amounts in the Treas-  
21 ury not otherwise appropriated, \$5,700,000,000, to be  
22 available for a border wall system along the southern bor-  
23 der of the United States, including physical barriers and  
24 associated detection technology, roads, and lighting.

1 **TITLE III—ESPERER ACT OF 2019**

2 **SECTION 301. SHORT TITLE.**

3 This title may be cited as the “Extending Status Pro-  
4 tection for Eligible Refugees with Established Residency  
5 Act of 2019” or as the “ESPERER Act of 2019”.

6 **SEC. 302. ADJUSTMENT OF STATUS OF CERTAIN FOREIGN**  
7 **NATIONALS.**

8 (a) ADJUSTMENT OF STATUS.—

9 (1) IN GENERAL.—Notwithstanding section  
10 245(c) of the Immigration and Nationality Act (8  
11 U.S.C. 1255(c)), the status of any alien described in  
12 subsection (b) shall be adjusted by the Secretary of  
13 Homeland Security to that of an alien lawfully ad-  
14 mitted for permanent residence, if the alien—

15 (A) applies for such adjustment before  
16 January 1, 2021;

17 (B) is not inadmissible under paragraph  
18 (1), (2), (3), (4), (6)(E), (6)(G), (8), (10)(A),  
19 (10)(C), or (10)(D) of section 212(a) of the Im-  
20 migration and Nationality Act (8 U.S.C.  
21 1182(a));

22 (C) is not deportable under paragraph  
23 (1)(E), (1)(G), (2), (4), (5), or (6) of section  
24 237(a) of such Act (8 U.S.C. 1227(a));

1 (D) has not ordered, incited, assisted, or  
2 otherwise participated in the persecution of any  
3 person on account of race, religion, nationality,  
4 membership in a particular social group, or po-  
5 litical opinion; and

6 (E) has not been convicted of—

7 (i) any offense under Federal or State  
8 law punishable by a maximum term of im-  
9 prisonment of more than 1 year; or

10 (ii) three or more offenses under Fed-  
11 eral or State law, for which the alien was  
12 convicted on different dates for each of the  
13 3 offenses and sentenced to imprisonment  
14 for an aggregate of 90 days or more.

15 (2) RELATIONSHIP OF APPLICATION TO CER-  
16 TAIN ORDERS.—An alien present in the United  
17 States who has been ordered removed, or ordered to  
18 depart voluntarily, from the United States under  
19 any provision of the Immigration and Nationality  
20 Act may, notwithstanding such order, apply for ad-  
21 justment of status under paragraph (1). Such an  
22 alien may not be required, as a condition on submit-  
23 ting or granting such application, to file a motion to  
24 reopen, reconsider, or vacate such order. If the Sec-  
25 retary of Homeland Security grants the application,

1 the Secretary of Homeland Security shall cancel the  
2 order. If the Secretary of Homeland Security ren-  
3 ders a final administrative decision to deny the ap-  
4 plication, the order shall be effective and enforceable  
5 to the same extent as if the application had not been  
6 made.

7 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-  
8 TUS.—The benefits provided by subsection (a) shall apply  
9 to any alien—

10 (1) who is a national of Haiti, Nicaragua, El  
11 Salvador, or Honduras;

12 (2) who is in temporary protected status under  
13 section 244 of the Immigration and Nationality Act  
14 (8 U.S.C. 1254a)—

15 (A) on January 13, 2011; and

16 (B) on the date of the application for ad-  
17 justment of status under this Act is filed;

18 (3) who was physically present in the United  
19 States on January 12, 2011; and

20 (4) who has been physically present in the  
21 United States for at least 1 year and is physically  
22 present in the United States on the date the applica-  
23 tion for adjustment of status under this Act is filed,  
24 except an alien shall not be considered to have failed  
25 to maintain continuous physical presence by reason

1 of an absence, or absences, from the United States  
2 for any periods in the aggregate not exceeding 180  
3 days.

4 (c) STAY OF REMOVAL.—

5 (1) IN GENERAL.—The Secretary of Homeland  
6 Security shall provide by regulation for an alien sub-  
7 ject to a final order of removal to seek a stay of  
8 such order based on the filing of an application  
9 under subsection (a).

10 (2) DURING CERTAIN PROCEEDINGS.—Notwith-  
11 standing any provision of the Immigration and Na-  
12 tionality Act (8 U.S.C. 1101 et seq.), the Secretary  
13 of Homeland Security shall not order any alien to be  
14 removed from the United States, if the alien is in re-  
15 moval proceedings under any provision of such Act  
16 and raises as a defense to such an order the eligi-  
17 bility of the alien to apply for adjustment of status  
18 under subsection (a), except where the Secretary of  
19 Homeland Security has rendered a final administra-  
20 tive determination to deny the application.

21 (3) WORK AUTHORIZATION.—The Secretary of  
22 Homeland Security may authorize an alien who has  
23 applied for adjustment of status under subsection  
24 (a) to engage in employment in the United States  
25 during the pendency of such application and may

1 provide the alien with a “work authorized” endorse-  
2 ment or other appropriate document signifying au-  
3 thorization of employment, except that if such appli-  
4 cation is pending for a period exceeding 180 days,  
5 and has not been denied, the Secretary of Homeland  
6 Security shall authorize such employment.

7 (d) ADJUSTMENT OF STATUS FOR SPOUSES AND  
8 CHILDREN.—

9 (1) IN GENERAL.—Notwithstanding section  
10 245(c) of the Immigration and Nationality Act (8  
11 U.S.C. 1255(c)), the status of an alien shall be ad-  
12 justed by the Secretary of Homeland Security to  
13 that of an alien lawfully admitted for permanent res-  
14 idence, if—

15 (A) the alien is the spouse, child, or un-  
16 married son or daughter, of an alien whose sta-  
17 tus is adjusted to that of an alien lawfully ad-  
18 mitted for permanent residence under sub-  
19 section (a), except that in the case of such an  
20 unmarried son or daughter, the son or daughter  
21 shall be required to establish that they have  
22 been physically present in the United States for  
23 at least 1 year;

1 (B) the alien applies for such adjustment  
2 and is physically present in the United States  
3 on the date the application is filed; and

4 (C) the alien is otherwise eligible to receive  
5 an immigrant visa and is otherwise admissible  
6 to the United States for permanent residence,  
7 except in determining such admissibility the  
8 grounds for exclusion specified in paragraphs  
9 (4), (5), (6)(A), and (7)(A) of section 212(a) of  
10 the Immigration and Nationality Act (8 U.S.C.  
11 1182(a)) shall not apply.

12 (2) PROOF OF CONTINUOUS PRESENCE.—For  
13 purposes of establishing the period of continuous  
14 physical presence referred to in paragraph (1)(B),  
15 an alien shall not be considered to have failed to  
16 maintain continuous physical presence by reason of  
17 an absence, or absences, from the United States for  
18 any periods in the aggregate not exceeding 180  
19 days.

20 (e) AVAILABILITY OF ADMINISTRATIVE REVIEW.—  
21 The Secretary of Homeland Security shall provide to ap-  
22 plicants for adjustment of status under subsection (a) the  
23 same right to, and procedures for, administrative review  
24 as are provided to—

1           (1) applicants for adjustment of status under  
2           section 245 of the Immigration and Nationality Act  
3           (8 U.S.C. 1255); or

4           (2) aliens subject to removal proceedings under  
5           section 240 of such Act (8 U.S.C. 1229a).

6           (f) **LIMITATION ON JUDICIAL REVIEW.**—A deter-  
7           mination by the Secretary of Homeland Security as to  
8           whether the status of any alien should be adjusted under  
9           this Act is final and shall not be subject to review by any  
10          court.

11          (g) **NO OFFSET IN NUMBER OF VISAS AVAILABLE.**—  
12          When an alien is granted the status of having been law-  
13          fully admitted for permanent residence pursuant to this  
14          Act, the Secretary of State shall not reduce the number  
15          of immigrant visas authorized to be issued under any pro-  
16          vision of the Immigration and Nationality Act.

17          (h) **APPLICATION OF IMMIGRATION AND NATION-**  
18          **ALITY ACT PROVISIONS.**—Except as otherwise specifically  
19          provided in this section, the definitions contained in the  
20          Immigration and Nationality Act shall apply in the admin-  
21          istration of this Act. Nothing contained in this Act shall  
22          be held to repeal, amend, alter, modify, effect, or restrict  
23          the powers, duties, functions, or authority of the Secretary  
24          of Homeland Security in the administration and enforce-  
25          ment of such Act or any other law relating to immigration,

1 nationality, or naturalization. The fact that an alien may  
2 be eligible to be granted the status of having been lawfully  
3 admitted for permanent residence under this section shall  
4 not preclude the alien from seeking such status under any  
5 other provision of law for which the alien may be eligible.

At the end of the bill, add the following:

6                   **DIVISION I—SUPPLEMENTAL**  
7                   **APPROPRIATIONS ACT, 2019**

8           *Be it enacted by the Senate and the House of Rep-*  
9 *resentatives of the United States of America in Congress*  
10 *assembled,* That the following sums are hereby appro-  
11 priated, out of any money in the Treasury not otherwise  
12 appropriated, and out of applicable corporate or other rev-  
13 enues, receipts, and funds, for the several departments,  
14 agencies, corporations, and other organizational units of  
15 Government for fiscal year 2019, and for other purposes,  
16 namely:

17                                   **TITLE I**  
18                                   **DEPARTMENT OF AGRICULTURE**  
19                                   **AGRICULTURAL PROGRAMS**  
20                                   **PROCESSING, RESEARCH AND MARKETING**  
21                                   **OFFICE OF THE SECRETARY**

22           For an additional amount for the “Office of the Sec-  
23 retary”, \$1,105,442,000, which shall remain available  
24 until December 31, 2020, for necessary expenses related

1 to losses of crops (including milk), trees, bushes, and  
2 vines, as a consequence of Hurricanes Michael or Flor-  
3 ence, other hurricanes, typhoons, volcanic activity, or  
4 wildfires occurring in calendar year 2018 under such  
5 terms and conditions as determined by the Secretary: *Pro-*  
6 *vided*, That the Secretary may provide assistance for such  
7 losses in the form of block grants to eligible states and  
8 territories and such assistance may include compensation  
9 to producers, as determined by the Secretary, for past or  
10 future crop insurance premiums, forest restoration, and  
11 poultry and livestock losses: *Provided further*, That of the  
12 amounts provided under this heading, tree assistance pay-  
13 ments may be made under section 1501(e) of the Agricul-  
14 tural Act of 2014 (7 U.S.C. 9081(e)) to eligible orchard-  
15 ists or nursery tree growers (as defined in such section)  
16 of pecan trees with a tree mortality rate that exceeds 7.5  
17 percent (adjusted for normal mortality) and is less than  
18 15 percent (adjusted for normal mortality), to be available  
19 until expended, for losses incurred during the period be-  
20 ginning January 1, 2018, and ending December 31, 2018:  
21 *Provided further*, That in the case of producers impacted  
22 by volcanic activity that resulted in the loss of crop land,  
23 or access to crop land, the Secretary shall consider all  
24 measures available, as appropriate, to bring replacement  
25 land into production: *Provided further*, That the total

1 amount of payments received under this heading and ap-  
2 plicable policies of crop insurance under the Federal Crop  
3 Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured  
4 Crop Disaster Assistance Program (NAP) under section  
5 196 of the Federal Agriculture Improvement and Reform  
6 Act of 1996 (7 U.S.C. 7333) shall not exceed 90 percent  
7 of the loss as determined by the Secretary: *Provided fur-*  
8 *ther*, That the total amount of payments received under  
9 this heading for producers who did not obtain a policy or  
10 plan of insurance for an insurable commodity for the ap-  
11 plicable crop year under the Federal Crop Insurance Act  
12 (7 U.S.C. 1501 et seq.) for the crop incurring the losses  
13 or did not file the required paperwork and pay the service  
14 fee by the applicable State filing deadline for a noninsur-  
15 able commodity for the applicable crop year under NAP  
16 for the crop incurring the losses shall not exceed 70 per-  
17 cent of the loss as determined by the Secretary: *Provided*  
18 *further*, That producers receiving payments under this  
19 heading, as determined by the Secretary, shall be required  
20 to purchase crop insurance where crop insurance is avail-  
21 able for the next two available crop years, excluding tree  
22 insurance policies, and producers receiving payments  
23 under this heading shall be required to purchase coverage  
24 under NAP where crop insurance is not available in the  
25 next two available crop years, as determined by the Sec-

1   retary: *Provided further*, That, not later than 120 days  
2   after the end of fiscal year 2019, the Secretary shall sub-  
3   mit a report to the Congress specifying the type, amount,  
4   and method of such assistance by state and territory: *Pro-*  
5   *vided further*, That such amount is designated by the Con-  
6   gress as being for an emergency requirement pursuant to  
7   section 251(b)(2)(A)(i) of the Balanced Budget and  
8   Emergency Deficit Control Act of 1985.

9                                   FARM SERVICE AGENCY

10                   EMERGENCY FOREST RESTORATION PROGRAM

11           For an additional amount for the “Emergency Forest  
12   Restoration Program”, for necessary expenses related to  
13   the consequences of Hurricanes Michael and Florence and  
14   wildfires occurring in calendar year 2018, and other nat-  
15   ural disasters, \$480,000,000, 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.

20                   NATURAL RESOURCES CONSERVATION SERVICE

21           WATERSHED AND FLOOD PREVENTION OPERATIONS

22           For an additional amount for “Watershed and Flood  
23   Prevention Operations”, for necessary expenses for the  
24   Emergency Watershed Protection Program related to the  
25   consequences of Hurricanes Michael and Florence and

1 wildfires occurring in calendar year 2018, and other nat-  
2 ural disasters, \$125,000,000, to remain available until ex-  
3 pended: *Provided*, That such amount is designated by the  
4 Congress as being for an emergency requirement pursuant  
5 to section 251(b)(2)(A)(i) of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985.

7 **RURAL DEVELOPMENT**

8 **RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT**

9 For an additional amount for the cost of grants for  
10 rural community facilities programs as authorized by sec-  
11 tion 306 and described in section 381E(d)(1) of the Con-  
12 solidated Farm and Rural Development Act, for necessary  
13 expenses related to the consequences of Hurricanes Mi-  
14 chael and Florence and wildfires occurring in calendar  
15 year 2018, and other natural disasters, \$150,000,000, to  
16 remain available until expended: *Provided*, That sections  
17 381E-H and 381N of the Consolidated Farm and Rural  
18 Development Act are not applicable to the funds made  
19 available under this heading: *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           GENERAL PROVISIONS—THIS TITLE

2           SEC. 101. In addition to other amounts made avail-  
3 able by section 309 of Public Law 115–72, there is hereby  
4 appropriated \$600,000,000 for the Secretary of Agri-  
5 culture to provide a grant to the Commonwealth of Puerto  
6 Rico for disaster nutrition assistance in response to Presi-  
7 dentially declared major disasters and emergencies: *Pro-*  
8 *vided*, That the funds made available to the Common-  
9 wealth of Puerto Rico under this section shall remain  
10 available for obligation by the Commonwealth until Sep-  
11 tember 30, 2020, and shall be in addition to funds other-  
12 wise made available: *Provided further*, That such amount  
13 is designated by the Congress as being for an emergency  
14 requirement pursuant to section 251(b)(2)(A)(i) of the  
15 Balanced Budget and Emergency Deficit Control Act of  
16 1985.

17          SEC. 102. In addition to amounts otherwise made  
18 available, out of the funds made available under section  
19 18 of Food and Nutrition Act of 2008, \$10,200,000 shall  
20 be available for the Secretary to provide a grant to the  
21 Commonwealth of the Northern Mariana Islands for dis-  
22 aster nutrition assistance in response to the Presidentially  
23 declared major disasters and emergencies: *Provided*, That  
24 funds made available to the Commonwealth of the North-  
25 ern Mariana Islands under this section shall remain avail-

1 able for obligation by the Commonwealth until September  
2 30, 2020: *Provided further*, That such amount is des-  
3 ignated by the Congress as being for an emergency re-  
4 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
5 anced Budget and Emergency Deficit Control Act of 1985.

6 SEC. 103. For purposes of administering title I of  
7 subdivision 1 of division B of the Bipartisan Budget Act  
8 of 2018 (Public Law 115–123), losses to agricultural pro-  
9 ducers resulting from hurricanes shall also include losses  
10 of peach and blueberry crops in calendar year 2017 due  
11 to extreme cold: *Provided*, That the amounts provided by  
12 this section are designated by the Congress as being for  
13 an emergency requirement pursuant to section  
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985: *Provided further*, That  
16 amounts repurposed under this heading that were pre-  
17 viously designated by the Congress as an emergency re-  
18 quirement pursuant to the Balanced Budget and Emer-  
19 gency Deficit Control Act of 1985 are designated by the  
20 Congress as an emergency requirement pursuant to sec-  
21 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
22 gency Deficit Control Act of 1985.

23 SEC. 104. (a)(1) Except as provided in paragraph  
24 (2), a person or legal entity is not eligible to receive a  
25 payment under the Market Facilitation Program estab-

1 lished pursuant to the Commodity Credit Corporation  
2 Charter Act (15 U.S.C. 714 et seq.) if the average ad-  
3 justed gross income of such person or legal entity is great-  
4 er than \$900,000.

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

9 (b) A person or legal entity may not receive a pay-  
10 ment under the Market Facilitation Program described in  
11 subsection (a)(1), directly or indirectly, of more than  
12 \$125,000.

13 (c) In this section, the term “average adjusted gross  
14 income” has the meaning given the term defined in section  
15 760.1502 of title 7 Code of Federal Regulations (as in  
16 effect July 18, 2018).

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

1 TITLE II  
2 DEPARTMENT OF COMMERCE  
3 ECONOMIC DEVELOPMENT ADMINISTRATION  
4 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS  
5 (INCLUDING TRANSFERS OF FUNDS)  
6 Pursuant to section 703 of the Public Works and  
7 Economic Development Act (42 U.S.C. 3233), for an addi-  
8 tional amount for “Economic Development Assistance  
9 Programs” for necessary expenses related to flood mitiga-  
10 tion, disaster relief, long-term recovery, and restoration of  
11 infrastructure in areas that received a major disaster des-  
12 ignation as a result of Hurricanes Florence, Michael, and  
13 Lane, Typhoons Yutu and Mangkhut, and of wildfires, vol-  
14 canic eruptions, earthquakes, and other natural disasters  
15 occurring in calendar year 2018 under the Robert T. Staf-  
16 ford Disaster Relief and Emergency Assistance Act (42  
17 U.S.C. 5121 et seq.), \$600,000,000, to remain available  
18 until expended: *Provided*, That such amount is designated  
19 by the Congress as being for an emergency requirement  
20 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
21 et and Emergency Deficit Control Act of 1985: *Provided*  
22 *further*, That within the amount appropriated, up to 2 per-  
23 cent of funds may be transferred to the “Salaries and Ex-  
24 penses” account for administration and oversight activi-  
25 ties: *Provided further*, That within the amount appro-

1 priated, \$1,000,000 shall be transferred to the “Office of  
2 Inspector General” account for carrying out investigations  
3 and audits related to the funding provided under this  
4 heading.

5 NATIONAL OCEANIC AND ATMOSPHERIC  
6 ADMINISTRATION  
7 OPERATIONS, RESEARCH, AND FACILITIES

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

13 (1) \$3,000,000 for repair and replacement of  
14 observing assets, real property, and equipment;

15 (2) \$11,000,000 for marine debris assessment  
16 and removal;

17 (3) \$31,570,000 for mapping, charting, and ge-  
18 odesy services;

19 (4) \$25,000,000 to improve: (a) hurricane in-  
20 tensity forecasting, including through deployment of  
21 unmanned ocean observing platforms and enhanced  
22 data assimilation; (b) flood prediction, forecasting,  
23 and mitigation capabilities; and (c) wildfire pre-  
24 diction, detection, and forecasting; and

1           (5) \$50,000,000 for Title IX Fund grants as  
2           authorized under section 906(c) of division O of  
3           Public Law 114–113:

4 *Provided*, That such amount is 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 National Oceanic and Atmospheric Administration  
9 shall submit a spending plan to the Committees on Appro-  
10 priations of the House of Representatives and the Senate  
11 for funding provided under subsection (4) of this heading  
12 within 45 days after the date of enactment of this Act.

13           PROCUREMENT, ACQUISITION AND CONSTRUCTION

14           For an additional amount for “Procurement, Acquisi-  
15 tion and Construction”, \$25,000,000, to remain available  
16 until September 30, 2021, for improvements to oper-  
17 ational and research weather supercomputing infrastruc-  
18 ture and satellite ground services used for hurricane inten-  
19 sity and track prediction; flood prediction, forecasting, and  
20 mitigation; and wildfire prediction, detection, and fore-  
21 casting: *Provided*, That such amount is designated by the  
22 Congress as being for an emergency requirement pursuant  
23 to section 251(b)(2)(A)(i) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985: *Provided further*,  
25 That the National Oceanic and Atmospheric Administra-



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

4 FEDERAL PRISON SYSTEM

5 BUILDINGS AND FACILITIES

6 For an additional amount for “Buildings and Facili-  
7 ties” for necessary expenses related to the consequences  
8 of Hurricanes Florence and Michael and Typhoon Yutu,  
9 \$28,400,000, to remain available until expended: *Pro-*  
10 *vided*, That such amount is designated by the Congress  
11 as being for an emergency requirement pursuant to sec-  
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
13 gency Deficit Control Act of 1985.

14 RELATED AGENCIES

15 LEGAL SERVICES CORPORATION

16 PAYMENT TO THE LEGAL SERVICES CORPORATION

17 For an additional amount for “Payment to the Legal  
18 Services Corporation” to carry out the purposes of the  
19 Legal Services Corporation Act by providing for necessary  
20 expenses related to the consequences of Hurricanes Flor-  
21 ence, Michael, and Lane, Typhoons Yutu and Mangkhut,  
22 and calendar year 2018 wildfires, volcanic eruptions, and  
23 earthquakes, \$15,000,000: *Provided*, That such amount is  
24 designated by the Congress as being for an emergency re-  
25 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985:  
2 *Provided further*, That none of the funds appropriated in  
3 this Act to the Legal Services Corporation shall be ex-  
4 pended for any purpose prohibited or limited by, or con-  
5 trary to any of the provisions of, sections 501, 502, 503,  
6 504, 505, and 506 of Public Law 105–119, and all funds  
7 appropriated in this Act to the Legal Services Corporation  
8 shall be subject to the same terms and conditions set forth  
9 in such sections, except that all references in sections 502  
10 and 503 to 1997 and 1998 shall be deemed to refer in-  
11 stead to 2018 and 2019, respectively, and except that sec-  
12 tions 501 and 503 of Public Law 104–134 (referenced by  
13 Public Law 105–119) shall not apply to the amount made  
14 available under this heading: *Provided further*, That, for  
15 the purposes of this Act, the Legal Services Corporation  
16 shall be considered an agency of the United States Gov-  
17 ernment.

### 18 TITLE III

#### 19 DEPARTMENT OF DEFENSE

##### 20 OPERATION AND MAINTENANCE, MARINE CORPS

21 For an additional amount for “Operation and Main-  
22 tenance, Marine Corps”, \$200,000,000, for necessary ex-  
23 penses related to the consequences of Hurricanes Michael  
24 and Florence: *Provided*, That such amount is designated  
25 by the Congress as being for an emergency requirement

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

3 OPERATION AND MAINTENANCE, AIR FORCE

4 For an additional amount for “Operation and Main-  
5 tenance, Air Force”, \$400,000,000, for necessary ex-  
6 penses related to the consequences of Hurricanes Michael  
7 and Florence: *Provided*, That such amount is designated  
8 by the Congress as being for an emergency requirement  
9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
10 et and Emergency Deficit Control Act of 1985.

11 TITLE IV

12 CORPS OF ENGINEERS—CIVIL

13 DEPARTMENT OF THE ARMY

14 INVESTIGATIONS

15 For an additional amount for “Investigations” for  
16 necessary expenses related to the completion, or initiation  
17 and completion, of flood and storm damage reduction, in-  
18 cluding shore protection, studies which are currently au-  
19 thorized or which are authorized after the date of enact-  
20 ment of this Act, to reduce risk from future floods and  
21 hurricanes, at full Federal expense, \$35,000,000, to re-  
22 main available until expended, in States and insular areas  
23 that were impacted by Hurricanes Florence and Michael,  
24 Typhoon Mangkhut, Super Typhoon Yutu, and Tropical  
25 Storm Gita: *Provided*, That such amount is designated by

1 the Congress as being for an emergency requirement pur-  
2 suant to section 251(b)(2)(A)(i) of the Balanced Budget  
3 and Emergency Deficit Control Act of 1985: *Provided fur-*  
4 *ther*, That the Assistant Secretary of the Army for Civil  
5 Works shall provide a monthly report directly to the Com-  
6 mittees on Appropriations of the House and the Senate  
7 detailing the allocation and obligation of these funds, in-  
8 cluding new studies selected to be initiated using funds  
9 provided under this heading, beginning not later than 60  
10 days after the enactment of this Act.

11 CONSTRUCTION

12 For an additional amount for “Construction” for nec-  
13 essary expenses, \$715,000,000, to remain available until  
14 expended, to construct flood and storm damage reduction,  
15 including shore protection, projects which are currently  
16 authorized or which are authorized after the date of enact-  
17 ment of this Act, and flood and storm damage reduction,  
18 including shore protection, projects which have signed  
19 Chief’s Reports as of the date of enactment of this Act  
20 or which are studied using funds provided under the head-  
21 ing “Investigations” if the Secretary determines such  
22 projects to be technically feasible, economically justified,  
23 and environmentally acceptable, in States and insular  
24 areas that were impacted by Hurricanes Florence and Mi-  
25 chael, Typhoon Mangkhut, Super Typhoon Yutu, and

1 Tropical Storm Gita: *Provided*, That projects receiving  
2 funds provided in Public Law 115–123 shall not be eligible  
3 for funding provided under this heading: *Provided further*,  
4 That for projects receiving funding under this heading, the  
5 provisions of Section 902 of the Water Resources Act of  
6 1986 shall not apply to these funds: *Provided further*, That  
7 the completion of ongoing construction projects receiving  
8 funds provided under this heading shall be at full Federal  
9 expense with respect to such funds: *Provided further*, That  
10 using funds provided under this heading, the non-Federal  
11 cash contribution for projects not eligible as ongoing con-  
12 struction projects shall be financed in accordance with the  
13 provisions of section 103(k) of Public Law 99–662 over  
14 a period of 30 years from the date of completion of the  
15 project or separable element: *Provided further*, That up to  
16 \$25,000,000 of the funds made available under this head-  
17 ing shall be used for continuing authorities projects to re-  
18 duce the risk of flooding and storm damage: *Provided fur-*  
19 *ther*, That any projects using funds appropriated under  
20 this heading shall be initiated only after non-Federal inter-  
21 ests have entered into binding agreements with the Sec-  
22 retary requiring, where applicable, the non-Federal inter-  
23 ests to pay 100 percent of the operation, maintenance, re-  
24 pair, replacement, and rehabilitation costs of the project  
25 and to hold and save the United States free from damages

1 due to the construction or operation and maintenance of  
2 the project, except for damages due to the fault or neg-  
3 ligence of the United States or its contractors: *Provided*  
4 *further*, That such amount is 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 directly to the Committees on  
10 Appropriations of the House of Representatives and the  
11 Senate detailing the allocation and obligation of these  
12 funds, beginning not later than 60 days after the date of  
13 the enactment of this Act.

14 MISSISSIPPI RIVER AND TRIBUTARIES

15 For an additional amount for “Mississippi River and  
16 Tributaries” for necessary expenses to address emergency  
17 situations at Corps of Engineers projects and rehabilitate  
18 and repair damages to Corps of Engineers projects,  
19 caused by natural disasters, \$225,000,000, to remain  
20 available until expended: *Provided*, That such amount is  
21 designated by the Congress as being for an emergency re-  
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
23 anced Budget and Emergency Deficit Control Act of 1985:  
24 *Provided further*, That the Assistant Secretary of the  
25 Army for Civil Works shall provide a monthly report di-

1 rectly to the Committees on Appropriations of the House  
2 of Representatives and the Senate detailing the allocation  
3 and obligation of these funds, beginning not later than 60  
4 days after the enactment of this Act.

5 OPERATION AND MAINTENANCE

6 For an additional amount for “Operation and Main-  
7 tenance” for necessary expenses to dredge Federal naviga-  
8 tion projects in response to, and repair damages to Corps  
9 of Engineers Federal projects caused by, natural disasters,  
10 \$245,000,000, to remain available until expended, of  
11 which such sums as are necessary to cover the Federal  
12 share of eligible operation and maintenance costs for  
13 coastal harbors and channels, and for inland harbors shall  
14 be derived from the Harbor Maintenance Trust Fund:  
15 *Provided*, That such amount is designated by the Congress  
16 as being for an emergency requirement pursuant to sec-  
17 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
18 gency Deficit Control Act of 1985: *Provided further*, That  
19 the Assistant Secretary of the Army for Civil Works shall  
20 provide a monthly report directly to the Committees on  
21 Appropriations of the House of Representatives and the  
22 Senate detailing the allocation and obligation of these  
23 funds, beginning not later than 60 days after the enact-  
24 ment of this Act.

## 1 DEPARTMENT OF THE INTERIOR

## 2 CENTRAL UTAH PROJECT

## 3 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

4 For an additional amount for “Central Utah Project  
5 Completion Account”, \$350,000, to be deposited into the  
6 Utah Reclamation Mitigation and Conservation Account  
7 for use by the Utah Reclamation Mitigation and Conserva-  
8 tion Commission, to remain available until expended, for  
9 expenses necessary in carrying out fire remediation activi-  
10 ties related to wildfires in 2018: *Provided*, That such  
11 amount is designated by the Congress as being for an  
12 emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

## 15 BUREAU OF RECLAMATION

## 16 WATER AND RELATED RESOURCES

17 For an additional amount for “Water and Related  
18 Resources”, \$15,500,000, to remain available until ex-  
19 pended, for fire remediation and suppression emergency  
20 assistance related to wildfires in 2017 and 2018: *Provided*,  
21 That such amount is designated by the Congress as being  
22 for an emergency requirement pursuant to section  
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

1                   DEPARTMENT OF ENERGY  
2                   ENERGY PROGRAMS  
3                   ELECTRICITY DELIVERY

4           For an additional amount for “Electricity Delivery”,  
5 \$15,500,000, to remain available until expended, for nec-  
6 essary expenses related to the consequences of Hurricanes  
7 Harvey, Irma, and Maria, and Super Typhoon Yutu, in-  
8 cluding technical assistance related to electric grids: *Pro-*  
9 *vided*, That such amount is designated by the Congress  
10 as being for an emergency requirement pursuant to sec-  
11 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
12 gency Deficit Control Act of 1985: *Provided further*, That  
13 the Assistant Secretary of Electricity Delivery shall pro-  
14 vide a monthly report to the Committees on Appropria-  
15 tions of the House of Representatives and the Senate de-  
16 tailing the allocation and obligation of these funds, begin-  
17 ning not later than 60 days after the enactment of this  
18 Act.

1 TITLE V  
2 DEPARTMENT OF HOMELAND SECURITY  
3 SECURITY, ENFORCEMENT, AND  
4 INVESTIGATIONS  
5 COAST GUARD  
6 OPERATIONS AND SUPPORT

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

16 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

17 For an additional amount for “Procurement, Con-  
18 struction, and Improvements” for necessary expenses re-  
19 lated to the consequences of Hurricanes Michael, Flor-  
20 ence, and Lane, Tropical Storm Gordon, and Typhoon  
21 Mangkhut, \$476,755,000, to remain available until Sep-  
22 tember 30, 2023: *Provided*, That such amount is des-  
23 ignated by the Congress as being for an emergency re-  
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
25 anced Budget and Emergency Deficit Control Act of 1985.

## 1 ENVIRONMENTAL COMPLIANCE AND RESTORATION

2 For an additional amount for “Environmental Com-  
3 pliance and Restoration” for necessary expenses related  
4 to the consequences of Hurricanes Michael and Florence,  
5 \$2,000,000, to remain available until September 30, 2023:  
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 GENERAL PROVISIONS—THIS TITLE

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

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

21 SEC. 502. The Administrator of the Federal Emer-  
22 gency Management Agency may provide assistance, pursu-  
23 ant to section 428 of the Robert T. Stafford Disaster Re-  
24 lief and Emergency Assistance Act (42 U.S.C. 5121 et  
25 seq.), for critical services as defined in section 406 of the

1 Robert T. Stafford Disaster Relief and Emergency Assist-  
2 ance Act for the duration of the recovery for incidents  
3 DR-4404, DR-4396, and DR-4398 to—

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

8 (2) replace or restore components of the facility  
9 or system not damaged by the disaster where nec-  
10 essary to fully effectuate the replacement or restora-  
11 tion of disaster-damaged components to restore the  
12 function of the facility or system to industry stand-  
13 ards.

## 14 TITLE VI

### 15 DEPARTMENT OF THE INTERIOR

#### 16 UNITED STATES FISH AND WILDLIFE SERVICE

#### 17 CONSTRUCTION

18 For an additional amount for “Construction” for nec-  
19 essary expenses related to the consequences of Hurricanes  
20 Florence, Lane, and Michael, and flooding associated with  
21 major declared disaster DR-4365, and calendar year 2018  
22 earthquakes, \$82,400,000, to remain available until ex-  
23 pended: *Provided*, That of this amount \$50,000,000 shall  
24 be used to restore and rebuild national wildlife refuges and  
25 increase the resiliency and capacity of coastal habitat and

1 infrastructure to withstand storms and reduce the amount  
2 of damage caused by such storms: *Provided further*, That  
3 such amount is designated by the Congress as being for  
4 an emergency requirement pursuant to section  
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
6 Deficit Control Act of 1985.

7 NATIONAL PARK SERVICE

8 HISTORIC PRESERVATION FUND

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

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

3 CONSTRUCTION

4 For an additional amount for “Construction” for nec-  
5 essary expenses related to the consequences of Hurricanes  
6 Florence and Michael, Typhoons Yutu and Mangkhut, and  
7 calendar year 2018 wildfires, earthquakes, and volcanic  
8 eruptions, \$78,000,000, to remain available until ex-  
9 pended: *Provided*, That such amount is 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 UNITED STATES GEOLOGICAL SURVEY

14 SURVEYS, INVESTIGATIONS, AND RESEARCH

15 For an additional amount for “Surveys, Investiga-  
16 tions, and Research” for necessary expenses related to the  
17 consequences of Hurricanes Florence and Michael, and  
18 calendar year 2018 wildfires, earthquake damage associ-  
19 ated with emergency declaration EM–3410, and in those  
20 areas impacted by a major disaster declared pursuant to  
21 the Robert T. Stafford Disaster Relief and Emergency As-  
22 sistance Act (42 U.S.C. 5121 et seq.) with respect to cal-  
23 endar year 2018 wildfires or volcanic eruptions,  
24 \$98,500,000, to remain available until expended: *Pro-*  
25 *vided*, That of this amount, \$72,310,000 is for costs re-

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

14 DEPARTMENTAL OFFICES

15 INSULAR AFFAIRS

16 ASSISTANCE TO TERRITORIES

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

## 1 OFFICE OF INSPECTOR GENERAL

## 2 SALARIES AND EXPENSES

3 For an additional amount for “Salaries and Ex-  
4 penses” for necessary expenses related to the con-  
5 sequences of major disasters declared pursuant to the  
6 Robert T. Stafford Disaster Relief and Emergency Assist-  
7 ance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000,  
8 to remain available until expended: *Provided*, That such  
9 amount is designated by the Congress as being for an  
10 emergency requirement pursuant to section  
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985.

## 13 ENVIRONMENTAL PROTECTION AGENCY

## 14 SCIENCE AND TECHNOLOGY

15 For an additional amount for “Science and Tech-  
16 nology” for necessary expenses related to improving pre-  
17 paredness of the water sector, \$600,000, to remain avail-  
18 able until expended: *Provided*, That such amount is des-  
19 igned 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 LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
23 PROGRAM

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

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

#### 8 STATE AND TRIBAL ASSISTANCE GRANTS

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

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

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

1 cipal, negative interest loans or grants or any combination  
2 of these: *Provided further*, That the Administrator shall  
3 retain \$10,400,000 of the funds appropriated herein for  
4 grants for drinking water facilities and waste water treat-  
5 ment plants impacted by Typhoon Yutu: *Provided further*,  
6 That the funds appropriated herein shall be used for eligi-  
7 ble projects whose purpose is to reduce flood or fire dam-  
8 age risk and vulnerability or to enhance resiliency to rapid  
9 hydrologic change or natural disaster at treatment works  
10 as defined by section 212 of the Federal Water Pollution  
11 Control Act or any eligible facilities under section 1452  
12 of the Safe Drinking Water Act, and for other eligible  
13 tasks at such treatment works or facilities necessary to  
14 further such purposes: *Provided further*, That the Admin-  
15 istrator of the Environmental Protection Agency may re-  
16 tain up to \$1,000,000 of the funds appropriated herein  
17 for management and oversight: *Provided further*, That  
18 such amount is designated by the Congress as being for  
19 an emergency requirement pursuant to section  
20 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

22 In addition, for an additional amount for “State and  
23 Tribal Assistance Grants”, \$500,000,000, to remain avail-  
24 able until expended, of which \$261,000,000 shall be for  
25 capitalization grants for the Clean Water State Revolving

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

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

1 2, notwithstanding section 603(d)(2) of the Federal Water  
2 Pollution Control Act and section 1452(f)(2) of the Safe  
3 Drinking Water Act, funds allocated from funds appro-  
4 priated herein may be used to make loans or to buy, refi-  
5 nance or restructure the debt obligations of eligible recipi-  
6 ents only where such debt was incurred on or after Sep-  
7 tember 20, 2017: *Provided further*, That the Adminis-  
8 trator of the Environmental Protection Agency may retain  
9 up to \$1,000,000 of the funds appropriated herein for  
10 management and oversight: *Provided further*, That such  
11 amount is designated by the Congress as being for an  
12 emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

## 15 RELATED AGENCIES

### 16 DEPARTMENT OF AGRICULTURE

#### 17 FOREST SERVICE

##### 18 FOREST AND RANGELAND RESEARCH

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

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

3 STATE AND PRIVATE FORESTRY

4 For an additional amount for “State and Private  
5 Forestry” for necessary expenses related to the con-  
6 sequences of Hurricanes Florence and Michael, and the  
7 calendar year 2018 wildfires, \$2,000,000, to remain avail-  
8 able until expended: *Provided*, That such amount is des-  
9 ignated by the Congress as being for an emergency re-  
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
11 anced Budget and Emergency Deficit Control Act of 1985.

12 NATIONAL FOREST SYSTEM

13 For an additional amount for “National Forest Sys-  
14 tem” for necessary expenses related to the consequences  
15 of Hurricanes Florence and Michael, and the calendar  
16 year 2018 wildfires, \$63,960,000, to remain available  
17 until expended: *Provided*, That such amount is designated  
18 by the Congress as being for an emergency requirement  
19 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
20 et and Emergency Deficit Control Act of 1985.

21 CAPITAL IMPROVEMENT AND MAINTENANCE

22 For an additional amount for “Capital Improvement  
23 and Maintenance” for necessary expenses related to the  
24 consequences of Hurricanes Florence and Michael, and the  
25 calendar year 2018 wildfires, \$36,040,000, to remain

1 available until expended: *Provided*, That such amount is  
2 designated 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 WILDLAND FIRE MANAGEMENT  
6 (INCLUDING TRANSFER OF FUNDS)

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

19 DEPARTMENT OF HEALTH AND HUMAN  
20 SERVICES  
21 NATIONAL INSTITUTES OF HEALTH  
22 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
23 SCIENCES

24 For an additional amount for “National Institute of  
25 Environmental Health Sciences” for necessary expenses in

1 carrying out activities set forth in section 311(a) of the  
2 Comprehensive Environmental Response, Compensation,  
3 and Liability Act of 1980 (42 U.S.C. 9660(a)) and section  
4 126(g) of the Superfund Amendments and Reauthoriza-  
5 tion Act of 1986 related to the consequences of major dis-  
6 asters declared pursuant to the Robert T. Stafford Dis-  
7 aster Relief and Emergency Assistance Act (42 U.S.C.  
8 5121 et seq.) in 2018, \$1,000,000, to remain available  
9 until expended: *Provided*, That such amount is designated  
10 by the Congress as being for an emergency requirement  
11 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
12 et and Emergency Deficit Control Act of 1985.

13           GENERAL PROVISION—THIS TITLE

14           SEC. 601. Not later than 45 days after the date of  
15 enactment of this Act, the agencies receiving funds appro-  
16 priated by this title shall provide a detailed operating plan  
17 of anticipated uses of funds made available in this title  
18 by State and Territory, and by program, project, and ac-  
19 tivity, to the Committees on Appropriations: *Provided*,  
20 That no such funds shall be obligated before the operating  
21 plans are provided to the Committees: *Provided further*,  
22 That such plans shall be updated, including obligations to  
23 date, and submitted to the Committees on Appropriations  
24 every 60 days until all such funds are expended.

1 TITLE VII  
2 DEPARTMENT OF LABOR  
3 EMPLOYMENT AND TRAINING ADMINISTRATION  
4 TRAINING AND EMPLOYMENT SERVICES  
5 (INCLUDING TRANSFER OF FUNDS)  
6 For an additional amount for “Training and Employ-  
7 ment Services”, \$50,000,000, for the dislocated workers  
8 assistance national reserve for necessary expenses directly  
9 related to the consequences of Hurricanes Florence and  
10 Michael, Typhoon Mangkhut, Super Typhoon Yutu, or the  
11 California wildfires occurring in calendar year 2018, to re-  
12 main available through September 30, 2020: *Provided*,  
13 That the Secretary of Labor may transfer up to  
14 \$1,000,000 of such funds to any other Department of  
15 Labor account for reconstruction and recovery needs, in-  
16 cluding worker protection activities: *Provided further*, That  
17 these sums may be used to replace grant funds previously  
18 obligated to the impacted areas: *Provided further*, That of  
19 the amount provided, up to \$500,000, to remain available  
20 until expended, shall be transferred to “Office of Inspector  
21 General” for oversight of activities responding to such con-  
22 sequences: *Provided further*, That such amount is des-  
23 ignated by the Congress as being for an emergency re-  
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
25 anced Budget and Emergency Deficit Control Act of 1985.

1 DEPARTMENT OF HEALTH AND HUMAN  
2 SERVICES  
3 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES  
4 ADMINISTRATION

5 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

6 For an additional amount for “Health Surveillance  
7 and Program Support”, \$30,000,000, to remain available  
8 until September 30, 2019, for grants, contracts and coop-  
9 erative agreements for behavioral health treatment, crisis  
10 counseling, and other related helplines, and for other simi-  
11 lar programs to provide support to individuals impacted  
12 by Hurricanes Florence and Michael, Typhoon Mangkhut,  
13 Super Typhoon Yutu, and the California wildfires occur-  
14 ring in 2018 in those areas for which a major disaster  
15 or emergency has been declared under section 401 or 501  
16 of the Robert T. Stafford Disaster Relief and Emergency  
17 Assistance Act (42 U.S.C. 5170 and 5191): *Provided,*  
18 That obligations incurred for the purposes provided herein  
19 prior to the date of enactment of this Act may be charged  
20 to funds appropriated under this heading: *Provided fur-*  
21 *ther,* That such amount is designated by the Congress as  
22 being for an emergency requirement pursuant to section  
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

1 ADMINISTRATION FOR CHILDREN AND FAMILIES

2 SOCIAL SERVICES BLOCK GRANT

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

1 costs of renovating, repairing, and construction of health  
2 care facilities (including mental health facilities), child  
3 care centers, and other social services facilities: *Provided*  
4 *further*, That of the amount provided, up to \$1,000,000,  
5 to remain available until expended, shall be transferred to  
6 “Office of the Secretary—Office of Inspector General” for  
7 oversight of activities responding to such hurricanes, ty-  
8 phoons, and wildfires: *Provided further*, That funds appro-  
9 priated in this paragraph shall not be available for costs  
10 that are reimbursed by the Federal Emergency Manage-  
11 ment Agency, under a contract for insurance, or by self-  
12 insurance: *Provided further*, That obligations incurred for  
13 the purposes provided herein prior to the date of enact-  
14 ment of this Act may be charged to funds appropriated  
15 under this heading: *Provided further*, That up to  
16 \$3,000,000 may be used to supplement amounts available  
17 for the necessary expenses of administering subtitle A of  
18 title XX of the Social Security Act: *Provided further*, That  
19 such amount is designated by the Congress as being for  
20 an emergency requirement pursuant to section  
21 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985.

23 CHILDREN AND FAMILIES SERVICES PROGRAMS

24 For an additional amount for “Children and Families  
25 Services Programs”, \$60,000,000, to remain available

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

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

4 DEPARTMENT OF EDUCATION

5 EDUCATION RECOVERY

6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Education Recovery”  
8 for necessary expenses related to the consequences of Hur-  
9 ricanes Florence and Michael, Typhoon Mangkhut, Super  
10 Typhoon Yutu, the California wildfires in 2018, the No-  
11 vember 2018 Anchorage Earthquake or the volcanic erup-  
12 tion and earthquakes in Hawaii in 2018 in those areas  
13 for which a major disaster or emergency has been declared  
14 under section 401 or 501 of the Robert T. Stafford Dis-  
15 aster Relief and Emergency Assistance Act (42 U.S.C.  
16 5170 and 5191) (referred to under this heading as a “cov-  
17 ered disaster or emergency”), \$165,000,000, to remain  
18 available through September 30, 2019: *Provided*, That  
19 such amount is designated by the Congress as being for  
20 an emergency requirement pursuant to section  
21 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985: *Provided further*, That such  
23 assistance may be provided through any of the programs  
24 authorized under this heading in division B of title VIII  
25 of Public Law 115–123 (as amended by Public Law 115–

1 141), as determined by the Secretary of Education, and  
2 subject to the terms and conditions that applied to those  
3 programs, except that references to dates and school years  
4 in Public Law 115–123 shall be deemed to be the cor-  
5 responding dates and school years for the covered disaster  
6 or emergency: *Provided further*, That the Secretary of  
7 Education may determine the amounts to be used for each  
8 such program and shall notify the Committees on Appro-  
9 priations of the House of Representatives and the Senate  
10 of these amounts not later than 7 days prior to obligation:  
11 *Provided further*, \$2,000,000 of the funds made available  
12 under this heading, to remain available until expended,  
13 shall be transferred to the Office of the Inspector General  
14 of the Department of Education for oversight of activities  
15 supported with funds appropriated under this heading,  
16 and up to \$1,000,000 of the funds made available under  
17 this heading shall be for program administration.

18           GENERAL PROVISIONS—THIS TITLE

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

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

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

1           (3) by redesignating subparagraph (E) as sub-  
2           paragraph (F);

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

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

11          (5) in subparagraph (F) (as redesignated by  
12          paragraph (3) of this section)—

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

15                           “(i) during”;

16                   (B) by striking “and (D)” and inserting “,  
17                   (D), and (E)”;

18                   (C) by striking “and the Virgin Islands”  
19                   each place it appears and inserting “, the Vir-  
20                   gin Islands, and the Northern Mariana Is-  
21                   lands”;

22                   (D) by striking the period at the end and  
23                   inserting “; and”; and

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

1                   “(ii) for the period beginning January  
2                   1, 2019, and ending September 30, 2019,  
3                   with respect to payments to Guam and  
4                   American Samoa from the additional funds  
5                   provided under subparagraph (A), the Sec-  
6                   retary shall increase the Federal medical  
7                   assistance percentage or other rate that  
8                   would otherwise apply to such payments to  
9                   100 percent.”.

10           (b) The amounts provided by the amendments made  
11 by subsection (a) are designated by the Congress as being  
12 for an emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

15           SEC. 702. Not later than 30 days after the date of  
16 enactment of this Act, the Secretaries of Labor, Health  
17 and Human Services, and Education shall provide a de-  
18 tailed spend plan of anticipated uses of funds made avail-  
19 able in this title, including estimated personnel and admin-  
20 istrative costs, to the Committees on Appropriations: *Pro-*  
21 *vided*, That such plans shall be updated and submitted  
22 to the Committees on Appropriations every 60 days until  
23 all funds are expended or expire.

24           SEC. 703. The second proviso under the heading  
25 “Hurricane Education Recovery” under the heading “De-

1 partment of Education” under title VIII of subdivision 1  
2 of division B of the Bipartisan Budget Act of 2018 (Public  
3 Law 115–123; 132 Stat. 95) is amended—

4 (1) in paragraph (2)—

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

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

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

20 “(L) any duplicative Federal assistance  
21 provided under this heading to an eligible entity  
22 may be retained by the entity and used for  
23 other activities to restart school operations in  
24 accordance with this paragraph;”;



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

18

## TITLE IX

19

## DEPARTMENT OF DEFENSE

20

## MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

21

For an additional amount for “Military Construction,  
22 Navy and Marine Corps”, \$115,000,000, to remain avail-  
23 able until September 30, 2023, for planning and design  
24 related to the consequences of Hurricanes Florence and  
25 Michael on Navy and Marine Corps installations: *Pro-*

1 *vided*, That none of the funds shall be available for obliga-  
2 tion until the Committees on Appropriations of the House  
3 of Representatives and the Senate receive a master plan  
4 for the installations and a form 1391 for each specific  
5 project: *Provided further*, That, not later than 60 days  
6 after enactment of this Act, the Secretary of the Navy,  
7 or his designee, shall submit to the Committees on Appro-  
8 priations of the House of Representatives and the Senate  
9 a detailed expenditure plan for funds provided under this  
10 heading: *Provided further*, That such amount is designated  
11 by the Congress as being for an emergency requirement  
12 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
13 et and Emergency Deficit Control Act of 1985.

14           MILITARY CONSTRUCTION, AIR FORCE

15       For an additional amount for “Military Construction,  
16 Air Force”, \$700,000,000, to remain available until Sep-  
17 tember 30, 2023, for planning and design, and construc-  
18 tion expenses related to the consequences of Hurricane  
19 Michael: *Provided*, That none of the funds shall be avail-  
20 able for obligation until the Committees on Appropriations  
21 of the House of Representatives and the Senate receive  
22 a basing plan and future mission requirements for instal-  
23 lations significantly damaged by Hurricane Michael: *Pro-*  
24 *vided further*, That, not later than 60 days after enact-  
25 ment of this Act, the Secretary of the Air Force, or his

1 designee, shall submit to the Committees on Appropria-  
2 tions of the House of Representatives and the Senate a  
3 detailed expenditure plan for funds provided under this  
4 heading: *Provided further*, That such amount is designated  
5 by the Congress as being for an emergency requirement  
6 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
7 et and Emergency Deficit Control Act of 1985.

8 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

9 For an additional amount for “Military Construction,  
10 Army National Guard”, \$42,400,000, to remain available  
11 until September 30, 2023, for necessary expenses related  
12 to the consequences of Hurricanes Florence and Michael:  
13 *Provided*, That none of the funds shall be available for  
14 obligation until the Committees on Appropriations of the  
15 House of Representatives and the Senate receive form  
16 1391 for each specific request: *Provided further*, That, not  
17 later than 60 days after enactment of this Act, the Direc-  
18 tor of the Army National Guard, or his designee, shall  
19 submit to the Committees on Appropriations of the House  
20 of Representatives and the Senate a detailed expenditure  
21 plan for funds provided under this heading: *Provided fur-*  
22 *ther*, That such funds may be obligated or expended for  
23 planning and design and military construction projects not  
24 otherwise authorized by law: *Provided further*, 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 DEPARTMENT OF VETERANS AFFAIRS

5 VETERANS HEALTH ADMINISTRATION

6 MEDICAL FACILITIES

7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Medical Facilities”,  
9 \$3,000,000, to remain available until September 30, 2023,  
10 for necessary expenses related to the consequences of Hur-  
11 ricanes Florence and Michael and Typhoons Mangkhut  
12 and Yutu: *Provided*, That the Secretary of Veterans Af-  
13 fairs, upon determination that such action is necessary to  
14 address needs as a result of the consequences of Hurri-  
15 canes Florence and Michael and Typhoons Mangkhut and  
16 Yutu, may transfer such funds to any discretionary ac-  
17 count of the Department of Veterans Affairs: *Provided*  
18 *further*, That before a transfer may take place, the Sec-  
19 retary of Veterans Affairs shall submit notice thereof to  
20 the Committee on Appropriations of the House of Rep-  
21 resentatives and the Senate: *Provided further*, That none  
22 of these funds shall be available for obligation until the  
23 Secretary of Veterans Affairs submits to the Committees  
24 on Appropriations of the House of Representatives and the  
25 Senate a detailed expenditure plan for funds provided

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

6

## TITLE X

7

## DEPARTMENT OF TRANSPORTATION

8

## FEDERAL TRANSIT ADMINISTRATION

9

## PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

10 For an additional amount for the “Public Transpor-  
11 tation Emergency Relief Program” as authorized under  
12 section 5324 of title 49, United States Code, \$10,542,000  
13 to remain available until expended, for transit systems af-  
14 fected by major declared disasters occurring in calendar  
15 year 2018: *Provided*, That not more than three-quarters  
16 of 1 percent of the funds for public transportation emer-  
17 gency relief shall be available for administrative expenses  
18 and ongoing program management oversight as authorized  
19 under sections 5334 and 5338(f)(2) of such title and shall  
20 be in addition to any other appropriations for such pur-  
21 pose: *Provided further*, That such amount is designated  
22 by the Congress as being for an emergency requirement  
23 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
24 et and Emergency Deficit Control Act of 1985.

1                   FEDERAL AVIATION ADMINISTRATION  
2                                   OPERATIONS  
3                   (AIRPORT AND AIRWAY TRUST FUND)

4           Of the amounts made available for “Federal Aviation  
5 Administration—Operations” in division B of the Bipar-  
6 tisan Budget Act of 2018 (Public Law 115–123), up to  
7 \$18,000,000 shall also be available for necessary expenses  
8 related to the consequences of major declared disasters oc-  
9 ccurring in calendar year 2018: *Provided*, That amounts  
10 repurposed under this heading that were previously des-  
11 igned by the Congress as an emergency requirement  
12 pursuant to the Balanced Budget and Emergency Deficit  
13 Control Act of 1985 are designated by the Congress as  
14 an emergency requirement pursuant to section  
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
16 Deficit Control Act of 1985.

17                   FEDERAL HIGHWAY ADMINISTRATION  
18                                   EMERGENCY RELIEF PROGRAM

19           For an additional amount for the Emergency Relief  
20 Program as authorized under section 125 of title 23,  
21 United States Code, \$1,650,000,000, to remain available  
22 until expended: *Provided*, That such amount is designated  
23 by the Congress as being for an emergency requirement  
24 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
25 et and 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 TRANSFERS OF FUNDS)

6 For an additional amount for “Community Develop-  
7 ment Fund”, \$1,160,000,000, to remain available until  
8 expended, for necessary expenses for activities authorized  
9 under title I of the Housing and Community Development  
10 Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster  
11 relief, long-term recovery, restoration of infrastructure  
12 and housing, economic revitalization, and mitigation in the  
13 most impacted and distressed areas resulting from a  
14 major disaster that occurred in 2018 (except as otherwise  
15 provided under this heading) pursuant to the Robert T.  
16 Stafford Disaster Relief and Emergency Assistance Act  
17 (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be  
18 awarded directly to the State, unit of general local govern-  
19 ment, or Indian tribe (as such term is defined in section  
20 102 of the Housing and Community Development Act of  
21 1974) at the discretion of the Secretary: *Provided further*,  
22 That of the amounts made available under this heading  
23 that remain available, after the funds under this heading  
24 and under the same heading in Public Law 115–254 have  
25 been allocated to meet unmet needs for disasters that oc-

1 curred in 2018, up to \$100,000,000 shall be allocated to  
2 meet unmet infrastructure needs for grantees that re-  
3 ceived allocations for disasters that occurred in 2017 (ex-  
4 cluding disasters specified in section 501(a) of title V of  
5 this Act) under this heading of division B of Public Law  
6 115–56 and title XI of Public Law 115–123: *Provided fur-*  
7 *ther*, That of the amounts provided in the previous proviso,  
8 the Secretary’s unmet infrastructure needs determinations  
9 shall not take into account mitigation-specific allocations:  
10 *Provided further*, That any funds made available under  
11 this heading and under the same heading in Public Law  
12 115–254 that remain available, after the funds under such  
13 headings have been allocated for necessary expenses for  
14 activities authorized under such headings, shall be allo-  
15 cated to grantees, for mitigation activities in the most im-  
16 pacted and distressed areas resulting from a major dis-  
17 aster that occurred in 2018: *Provided further*, That such  
18 allocations shall be made in the same proportion that the  
19 amount of funds each grantee received under this Act and  
20 the same heading in division I of Public Law 115–254  
21 bears to the amount of all funds provided to all grantees  
22 that received allocations for disasters that occurred in  
23 2018: *Provided further*, That of the amounts made avail-  
24 able under the text preceding the first proviso under this  
25 heading and under the same heading in Public Law 115–

1 254, the Secretary shall allocate to all such grantees an  
2 aggregate amount not less than 33 percent of the sum  
3 of such amounts of funds within 120 days after the enact-  
4 ment of this Act based on the best available data, and  
5 shall allocate no less than 100 percent of such funds by  
6 no later than 180 days after the enactment of this Act:  
7 *Provided further*, That the Secretary shall not prohibit the  
8 use of funds made available under this heading and the  
9 same heading in Public Law 115–254 for non-Federal  
10 share as authorized by section 105(a)(9) of the Housing  
11 and Community Development Act of 1974 (42 U.S.C.  
12 5305(a)(9)): *Provided further*, That of the amounts made  
13 available under this heading, grantees may establish grant  
14 programs to assist small businesses for working capital  
15 purposes to aid in recovery: *Provided further*, That as a  
16 condition of making any grant, the Secretary shall certify  
17 in advance that such grantee has in place proficient finan-  
18 cial controls and procurement processes and has estab-  
19 lished adequate procedures to prevent any duplication of  
20 benefits as defined by section 312 of the Robert T. Staf-  
21 ford Disaster Relief and Emergency Assistance Act (42  
22 U.S.C. 5155), to ensure timely expenditure of funds, to  
23 maintain comprehensive websites regarding all disaster re-  
24 covery activities assisted with these funds, and to detect  
25 and prevent waste, fraud, and abuse of funds: *Provided*

1 *further*, That with respect to any such duplication of bene-  
2 fits, the Secretary and any grantee under this section shall  
3 not take into consideration or reduce the amount provided  
4 to any applicant for assistance from the grantee where  
5 such applicant applied for and was approved, but declined  
6 assistance related to such major disasters that occurred  
7 in 2018 from the Small Business Administration under  
8 section 7(b) of the Small Business Act (15 U.S.C. 636(b)):  
9 *Provided further*, That the Secretary shall require grantees  
10 to maintain on a public website information containing  
11 common reporting criteria established by the Department  
12 that permits individuals and entities awaiting assistance  
13 and the general public to see how all grant funds are used,  
14 including copies of all relevant procurement documents,  
15 grantee administrative contracts and details of ongoing  
16 procurement processes, as determined by the Secretary:  
17 *Provided further*, That prior to the obligation of funds a  
18 grantee shall submit a plan to the Secretary for approval  
19 detailing the proposed use of all funds, including criteria  
20 for eligibility and how the use of these funds will address  
21 long-term recovery and restoration of infrastructure and  
22 housing, economic revitalization, and mitigation in the  
23 most impacted and distressed areas: *Provided further*,  
24 That such funds may not be used for activities reimburs-  
25 able by, or for which funds are made available by, the Fed-

1 eral Emergency Management Agency or the Army Corps  
2 of Engineers: *Provided further*, That funds allocated under  
3 this heading shall not be considered relevant to the non-  
4 disaster formula allocations made pursuant to section 106  
5 of the Housing and Community Development Act of 1974  
6 (42 U.S.C. 5306): *Provided further*, That a State, unit of  
7 general local government, or Indian tribe may use up to  
8 5 percent of its allocation for administrative costs: *Pro-*  
9 *vided further*, That the first proviso under this heading  
10 in the Supplemental Appropriations for Disaster Relief  
11 Requirements Act, 2018 (division I of Public Law 115–  
12 254) is amended by striking “State or unit of general local  
13 government” and inserting “State, unit of general local  
14 government, or Indian tribe (as such term is defined in  
15 section 102 of the Housing and Community Development  
16 Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That  
17 the sixth proviso under this heading in the Supplemental  
18 Appropriations for Disaster Relief Requirements Act,  
19 2018 (division I of Public Law 115–254) is amended by  
20 striking “State or subdivision thereof” and inserting  
21 “State, unit of general local government, or Indian tribe  
22 (as such term is defined in section 102 of the Housing  
23 and Community Development Act of 1974 (42 U.S.C.  
24 5302))”: *Provided further*, That in administering the  
25 funds under this heading, the Secretary of Housing and

1 Urban Development may waive, or specify alternative re-  
2 quirements for, any provision of any statute or regulation  
3 that the Secretary administers in connection with the obli-  
4 gation by the Secretary or the use by the recipient of these  
5 funds (except for requirements related to fair housing,  
6 nondiscrimination, labor standards, and the environment),  
7 if the Secretary finds that good cause exists for the waiver  
8 or alternative requirement and such waiver or alternative  
9 requirement would not be inconsistent with the overall  
10 purpose of title I of the Housing and Community Develop-  
11 ment Act of 1974: *Provided further*, That, notwithstanding  
12 the preceding proviso, recipients of funds provided under  
13 this heading that use such funds to supplement Federal  
14 assistance provided under section 402, 403, 404, 406,  
15 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster  
16 Relief and Emergency Assistance Act (42 U.S.C. 5121 et  
17 seq.) may adopt, without review or public comment, any  
18 environmental review, approval, or permit performed by  
19 a Federal agency, and such adoption shall satisfy the re-  
20 sponsibilities of the recipient with respect to such environ-  
21 mental review, approval or permit: *Provided further*, That,  
22 notwithstanding section 104(g)(2) of the Housing and  
23 Community Development Act of 1974 (42 U.S.C.  
24 5304(g)(2)), the Secretary may, upon receipt of a request  
25 for release of funds and certification, immediately approve

1 the release of funds for an activity or project assisted  
2 under this heading if the recipient has adopted an environ-  
3 mental review, approval or permit under the preceding  
4 proviso or the activity or project is categorically excluded  
5 from review under the National Environmental Policy Act  
6 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That  
7 the Secretary shall publish via notice in the Federal Reg-  
8 ister any waiver, or alternative requirement, to any statute  
9 or regulation that the Secretary administers pursuant to  
10 title I of the Housing and Community Development Act  
11 of 1974 no later than 5 days before the effective date of  
12 such waiver or alternative requirement: *Provided further*,  
13 That of the amounts made available under this heading,  
14 up to \$5,000,000 shall be made available for capacity  
15 building and technical assistance, including assistance on  
16 contracting and procurement processes, to support States,  
17 units of general local government, or Indian tribes (and  
18 their subrecipients) that receive allocations pursuant to  
19 this heading, received disaster recovery allocations under  
20 the same heading in Public Law 115–254, or may receive  
21 similar allocations for disaster recovery in future appro-  
22 priations Acts: *Provided further*, That of the amounts  
23 made available under this heading and under the same  
24 heading in Public Law 115–254, up to \$2,500,000 shall  
25 be transferred, in aggregate, to “Department of Housing

1 and Urban Development—Program Office Salaries and  
2 Expenses—Community Planning and Development” for  
3 necessary costs, including information technology costs, of  
4 administering and overseeing the obligation and expendi-  
5 ture of amounts under this heading: *Provided further*,  
6 That the amount specified in the preceding proviso shall  
7 be combined with funds appropriated under the same  
8 heading and for the same purpose in Public Law 115–  
9 254 and the aggregate of such amounts shall be available  
10 for any of the same such purposes specified under this  
11 heading or the same heading in Public Law 115–254 with-  
12 out limitation: *Provided further*, That such amount is des-  
13 ignated by the Congress as being for an emergency re-  
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
15 anced Budget and Emergency Deficit Control Act of 1985.

16           GENERAL PROVISION—THIS TITLE

17           SEC. 1001. (a) Amounts previously made available  
18 for activities authorized under title I of the Housing and  
19 Community Development Act of 1974 (42 U.S.C. 5301 et  
20 seq.) related to disaster relief, long-term recovery, restora-  
21 tion of infrastructure and housing, economic revitalization,  
22 and mitigation in the most impacted and distressed areas  
23 resulting from a major disaster, including funds provided  
24 under section 145 of division C of Public Law 114–223,  
25 section 192 of division C of Public Law 114–223 (as

1 added by section 101(3) of division A of Public Law 114–  
2 254), section 421 of division K of Public Law 115–31,  
3 and any mitigation funding provided under the heading  
4 “Department of Housing and Urban Development—Com-  
5 munity Planning and Development—Community Develop-  
6 ment Fund” of Public Law 115–123, that were allocated  
7 in response to Hurricane Matthew, may be used inter-  
8 changeably and without limitation for the same activities  
9 in the most impacted and distressed areas related to Hur-  
10 ricane Florence. In addition, any funds provided under the  
11 heading “Department of Housing and Urban Develop-  
12 ment—Community Planning and Development—Commu-  
13 nity Development Fund” in this Act or in division I of  
14 Public Law 115–254 that are allocated in response to  
15 Hurricane Florence may be used interchangeably and  
16 without limitation for the same activities in the most im-  
17 pacted and distressed areas related to Hurricane Matthew.  
18 Until HUD publishes the Federal Register Notice imple-  
19 menting this provision, grantees may submit for HUD ap-  
20 proval revised plans for the use of funds related to Hurri-  
21 cane Matthew that expand the eligible beneficiaries of ex-  
22 isting programs contained in such previously approved  
23 plans to include those impacted by Hurricane Florence.  
24 Approval of any such revised plans shall include the execu-  
25 tion of revised grant terms and conditions as necessary.

1 Once the implementing Notice is published, any additional  
2 action plan revisions shall follow the requirements con-  
3 tained therein.

4 (b) Amounts made available for administrative costs  
5 for activities authorized under title I of the Housing and  
6 Community Development Act of 1974 (42 U.S.C. 5301 et  
7 seq.) related to disaster relief, long-term recovery, restora-  
8 tion of infrastructure and housing, economic revitalization,  
9 and mitigation in the most impacted and distressed areas  
10 under this Act or any future Act, and amounts previously  
11 provided under section 420 of division L of Public Law  
12 114–113, section 145 of division C of Public Law 114–  
13 223, section 192 of division C of Public Law 114–223 (as  
14 added by section 101(3) of division A of Public Law 114–  
15 254), section 421 of division K of Public Law 115–31,  
16 and under the heading “Department of Housing and  
17 Urban Development—Community Planning and Develop-  
18 ment—Community Development Fund” of division B of  
19 Public Law 115–56, Public Law 115–123, and Public  
20 Law 115–254, shall be available for eligible administrative  
21 costs of the grantee related to any disaster relief funding  
22 identified in this subsection without regard to the par-  
23 ticular disaster appropriation from which such funds origi-  
24 nated.

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

12

## TITLE XI

13

## GENERAL PROVISION—THIS ACT

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

21 This division may be cited as the “Supplemental Ap-  
22 propriations Act, 2019”.

