AMENDMENT TO H.R. 648
OFFERED BY MR. DIAZ-BALART OF FLORIDA

At the end of the bill, add the following:

DIVISION H—IMMIGRATION
TITLE I—DREAM ACT OF 2019

SECTION 101. SHORT TITLE.

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

SEC. 102. DEFINITIONS.

In this title:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this title that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) DACA.—The term “DACA” means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals program announced by President Obama on June 15, 2012.

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

(4) EARLY CHILDHOOD EDUCATION PROGRAM.—The term “early childhood education pro-
gram” has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

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

(6) IMMIGRATION LAWS.—The term “immigration laws” has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

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

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

(B) does not include an institution of higher education outside of the United States.

(8) PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.—The term “permanent resident status on a conditional basis” means status as an
alien lawfully admitted for permanent residence on a conditional basis under this title.

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

(10) **SECRETARY.**—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Homeland Security.

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

**SEC. 103. PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.**

(a) **CONDITIONAL BASIS FOR STATUS.**—Notwithstanding any other provision of law, an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions under this title.

(b) **REQUIREMENTS.**—
IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who is inadmissible or deportable from the United States or is in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), if—

(A) the alien has been continuously physically present in the United States since the date that is 4 years before the date of the enactment of this Act;

(B) the alien was younger than 18 years of age on the date on which the alien initially entered the United States;

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

(i) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion,
nationality, membership in a particular social group, or political opinion; and

(iii) has not been convicted of—

(I) any offense under Federal or State law, other than a State offense for which an essential element is the alien’s immigration status, that is punishable by a maximum term of imprisonment of more than 1 year; or

(II) three or more offenses under Federal or State law, other than State offenses for which an essential element is the alien’s immigration status, for which the alien was convicted on different dates for each of the 3 offenses and imprisoned for an aggregate of 90 days or more; and

(D) the alien—

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

(ii) has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general education development certificate recognized under State law or a
high school equivalency diploma in the United States; or

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

(I) obtaining a regular high school diploma or its recognized equivalent under State law; or

(II) in passing a general educational development exam, a high school equivalence diploma examination, or other similar State-authorized exam.

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

(3) TREATMENT OF EXPUNGED CONVICTIONS.—An expunged conviction shall not automatically be treated as an offense under paragraph (1). The Secretary shall evaluate expunged convictions on a case-by-case basis according to the nature and
severity of the offense to determine whether, under
the particular circumstances, the Secretary deter-
mines that the alien should be eligible for cancella-
tion of removal, adjustment to permanent resident
status on a conditional basis, or other adjustment of
status.

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

(5) APPLICATION FEE.—

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

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

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

(II) received total income, during the

12-month period immediately preceding the
date on which the alien files an application
under this section, that is less than 150
percent of the poverty line; and

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

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

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

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

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

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

(6) Submission of Biometric and Biographic Data.—The Secretary may not grant an
alien permanent resident status on a conditional
basis under this section unless the alien submits bi-
ometric and biographic data, in accordance with pro-
cedures established by the Secretary. The Secretary
shall provide an alternative procedure for aliens who
are unable to provide such biometric or biographic
data because of a physical impairment.

(7) Background Checks.—

(A) Requirement for Background
Checks.—The Secretary shall utilize biometric,
biographic, and other data that the Secretary
determines appropriate—

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

(ii) to determine whether there is any
criminal, national security, or other factor
that would render the alien ineligible for
such status.
(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary grants such alien permanent resident status on a conditional basis under this section.

(8) MEDICAL EXAMINATION.—

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

(B) POLICIES AND PROCEDURES.—The Secretary, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of the examination required under subparagraph (A).

(9) MILITARY SELECTIVE SERVICE.—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.
(c) Determination of Continuous Presence.—

(1) Termination of continuous period.—
Any period of continuous physical presence in the United States of an alien who applies for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) Treatment of certain breaks in presence.—

(A) In general.—Except as provided in subparagraphs (B) and (C), an alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (b)(1)(A) if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(B) Extensions for extenuating circumstances.—The Secretary may extend the time periods described in subparagraph (A) for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien’s control, including the serious illness of the
alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(C) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under subparagraph (A).

(d) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—The Secretary or the Attorney General may not remove an alien who appears prima facie eligible for relief under this section.

(2) ALIENS SUBJECT TO REMOVAL.—The Secretary shall provide a reasonable opportunity to apply for relief under this section to any alien who requests such an opportunity or who appears prima facie eligible for relief under this section if the alien is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order.

(3) CERTAIN ALIENS ENROLLED IN ELEMENTARY OR SECONDARY SCHOOL.—
(A) STAY OF REMOVAL.—The Attorney General shall stay the removal proceedings of an alien who—

   (i) meets all the requirements under subparagraphs (A), (B), and (C) of subsection (b)(1), subject to paragraphs (2) and (3) of such subsection;

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

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

(B) COMMENCEMENT OF REMOVAL PROCEEDINGS.—The Secretary may not commence removal proceedings for an alien described in subparagraph (A).

(C) EMPLOYMENT.—An alien whose removal is stayed pursuant to subparagraph (A) or who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) LIFT OF STAY.—The Secretary or Attorney General may not lift the stay granted to an alien under subparagraph (A) unless the
alien ceases to meet the requirements under such subparagraph.

(e) Exemption From Numerical Limitations.—

Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status on a conditional basis under this title.

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

(a) Period of Status.—Permanent resident status on a conditional basis is—

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

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

(b) Notice of Requirements.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this title and the requirements to have the conditional basis of such status removed.

(c) Termination of Status.—The Secretary may terminate the permanent resident status on a conditional basis of an alien only if the Secretary—

(1) determines that the alien ceases to meet the requirements under paragraph (1)(C) of section
903(b), subject to paragraphs (2) and (3) of that section; and

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

(A) notice of the proposed termination; and

(B) the opportunity for a hearing to provide evidence that the alien meets such requirements or otherwise contest the termination.

(d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (e) or whose application for such status is denied shall return to the immigration status that the alien had immediately before receiving permanent resident status on a conditional basis or applying for such status, as appropriate.

(2) SPECIAL RULE FOR TEMPORARY PROTECTED STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (e) or whose application for such status is denied and who had temporary protected status under section
244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for such permanent resident status on a conditional basis, as appropriate, may not return to such temporary protected status if—

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

(B) the Secretary determines that the reason for terminating the permanent resident status on a conditional basis renders the alien ineligible for such temporary protected status.

SEC. 105. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional basis of an alien’s permanent resident status granted under this title and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) is described in paragraph (1)(C) of section 903(b), subject to paragraphs (2) and (3) of that section;
(B) has not abandoned the alien’s residence in the United States; and

(C)(i) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor’s degree or higher degree in the United States;

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

(iii) has been employed for periods totaling at least 3 years and at least 75 percent of the time that the alien has had a valid employment authorization, except that any period during which the alien is not employed while having a valid employment authorization and is enrolled in an institution of higher education, a secondary school, or an education program described in section 903(b)(1)(D)(iii), shall not count toward the time requirements under this clause.

(2) HARDSHIP EXCEPTION.—

(A) IN GENERAL.—The Secretary shall remove the conditional basis of an alien’s permanent resident status and grant the alien status
as an alien lawfully admitted for permanent residence if the alien—

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

(ii) demonstrates compelling circumstances for the inability to satisfy the requirements under subparagraph (C) of such paragraph; and

(iii) demonstrates that—

(I) the alien has a disability;

(II) the alien is a full-time caregiver of a minor child; or

(III) the removal of the alien from the United States would result in extreme hardship to the alien or the alien’s spouse, parent, or child who is a national of the United States or is lawfully admitted for permanent residence.

(3) Citizenship Requirement.—

(A) In General.—Except as provided in subparagraph (B), the conditional basis of an alien’s permanent resident status granted under this title may not be removed unless the alien
demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

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

(4) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require aliens applying for lawful permanent resident status under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

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

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

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

(III) is in foster care or otherwise lacking any parental or other familial support;
(ii) is younger than 18 years of age and is homeless;

(iii)(I) cannot care for himself or herself because of a serious, chronic disability; and

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

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, the alien accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

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

(5) Submission of biometric and biographic data.—The Secretary may not remove the
conditional basis of an alien’s permanent resident
status unless the alien submits biometric and bio-
graphic data, in accordance with procedures estab-
lished by the Secretary. The Secretary shall provide
an alternative procedure for applicants who are un-
able to provide such biometric data because of a
physical impairment.

(6) BACKGROUND CHECKS.—

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

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

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

(B) COMPLETION OF BACKGROUND
CHECKS.—The security and law enforcement
background checks of an alien required under
subparagraph (A) shall be completed, to the
satisfaction of the Secretary, before the date on which the Secretary removes the conditional basis of the alien’s permanent resident status.

(b) Treatment for Purposes of Naturalization.—

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

(2) Limitation on Application for Naturalization.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

SEC. 106. DOCUMENTATION REQUIREMENTS.

(a) Documents Establishing Identity.—An alien’s application for permanent resident status on a conditional basis may include, as proof of identity—

(1) a passport or national identity document from the alien’s country of origin that includes the alien’s name and the alien’s photograph or fingerprint;
(2) the alien’s birth certificate and an identity card that includes the alien’s name and photograph;

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

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

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

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

(b) DOCUMENTS ESTABLISHING CONTINUOUS PHYSICAL PRESENCE IN THE UNITED STATES.—To establish that an alien has been continuously physically present in the United States, as required under section 903(b)(1)(A), or to establish that an alien has not abandoned residence in the United States, as required under section 905(a)(1)(B), the alien may submit documents to the Secretary, including—

(1) employment records that include the employer’s name and contact information;

(2) records from any educational institution the alien has attended in the United States;
(3) records of service from the Uniformed Services;

(4) official records from a religious entity confirming the alien’s participation in a religious ceremony;

(5) passport entries;

(6) a birth certificate for a child who was born in the United States;

(7) automobile license receipts or registration;

(8) deeds, mortgages, or rental agreement contracts;

(9) tax receipts;

(10) insurance policies;

(11) remittance records;

(12) rent receipts or utility bills bearing the alien’s name or the name of an immediate family member of the alien, and the alien’s address;

(13) copies of money order receipts for money sent in or out of the United States;

(14) dated bank transactions; or

(15) two or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien’s continuous physical presence in the United States, that contain—
(A) the name, address, and telephone number of the affiant; and

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

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

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

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

(3) any document from the Department of Justice or the Department of Homeland Security stating the alien’s date of entry into the United States;

(4) hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization;

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

(6) employment records that include the employer’s name and contact information;
(7) official records from a religious entity confirming the alien’s participation in a religious ceremony;

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

(9) automobile license receipts or registration;

(10) deeds, mortgages, or rental agreement contracts;

(11) tax receipts;

(12) travel records;

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

(14) dated bank transactions;

(15) remittance records; or

(16) insurance policies.

(d) Documents Establishing Admission to an Institution of Higher Education.—To establish that an alien has been admitted to an institution of higher education, the alien shall submit to the Secretary a document from the institution of higher education certifying that the alien—

(1) has been admitted to the institution; or

(2) is currently enrolled in the institution as a student.
(c) **Documents Establishing Receipt of a Degree From an Institution of Higher Education.**—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien shall submit to the Secretary a diploma or other document from the institution stating that the alien has received such a degree.

(f) **Documents Establishing Receipt of High School Diploma, General Educational Development Certificate, or a Recognized Equivalent.**—To establish that an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general educational development certificate recognized under State law or a high school equivalency diploma in the United States, the alien shall submit to the Secretary—

1. a high school diploma, certificate of completion, or other alternate award;
2. a high school equivalency diploma or certificate recognized under State law; or
3. evidence that the alien passed a State-authorized exam, including the general educational development exam, in the United States.

(g) **Documents Establishing Enrollment in an Educational Program.**—To establish that an alien is
enrolled in any school or education program described in
section 903(b)(1)(D)(iii), 903(d)(3)(A)(iii), or
905(a)(1)(C), the alien shall submit school records from
the United States school that the alien is currently attend-
ing that include—

(1) the name of the school; and

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

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

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

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

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

   (B) bank records; or
(C) at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien’s work and income that contain—

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

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

(3) Documents to Establish Foster Care, Lack of Familial Support, Homelessness, or Serious, Chronic Disability.—To establish that the alien was in foster care, lacks parental or familial support, is homeless, or has a serious, chronic disability, the alien shall provide at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

   (A) a statement that the alien is in foster care, otherwise lacks any parental or other familial support, is homeless, or has a serious, chronic disability, as appropriate;

   (B) the name, address, and telephone number of the affiant; and
(C) the nature and duration of the relationship between the affiant and the alien.

(4) Documents to establish unpaid medical expense.—To establish that the alien has debt as a result of unreimbursed medical expenses, the alien shall provide receipts or other documentation from a medical provider that—

(A) bear the provider’s name and address;

(B) bear the name of the individual receiving treatment; and

(C) document that the alien has accumulated $10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien.

(i) Documents establishing qualification for hardship exemption.—To establish that an alien satisfies one of the criteria for the hardship exemption set forth in section 905(a)(2)(A)(iii), the alien shall submit to the Secretary at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—

(1) the name, address, and telephone number of the affiant; and
(2) the nature and duration of the relationship between the affiant and the alien.

(j) Documents Establishing Service in the Uniformed Services.—To establish that an alien has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge, the alien shall submit to the Secretary—

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

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

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

(4) health records from the appropriate Uniformed Service.

(k) Documents Establishing Employment.—

(1) In general.—An alien may satisfy the employment requirement under section 905(a)(1)(C)(iii) by submitting records that—

(A) establish compliance with such employment requirement; and

(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.
(2) OTHER DOCUMENTS.—An alien who is unable to submit the records described in paragraph (1) may satisfy the employment requirement by submitting at least 2 types of reliable documents that provide evidence of employment, including—

(A) bank records;

(B) business records;

(C) employer records;

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

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

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

(ii) the nature and duration of the relationship between the affiant and the alien; and

(F) remittance records.

(l) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident sta-
tus on a conditional basis is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.

SEC. 107. RULEMAKING.

(a) INITIAL PUBLICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this title in the Federal Register. Such regulations shall allow eligible individuals to immediately apply affirmatively for the relief available under section 903 without being placed in removal proceedings.

(b) INTERIM REGULATIONS.—Notwithstanding section 553 of title 5, United States Code, the regulations published pursuant to subsection (a) shall be effective, on an interim basis, immediately upon publication in the Federal Register, but may be subject to change and revision after public notice and opportunity for a period of public comment.

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

(d) PAPERWORK REDUCTION ACT.—The requirements under chapter 35 of title 44, United States Code,
(commonly known as the “Paperwork Reduction Act”) shall not apply to any action to implement this Act.

SEC. 108. CONFIDENTIALITY OF INFORMATION.

(a) In General.—The Secretary may not disclose or use information provided in applications filed under this title or in requests for DACA for the purpose of immigration enforcement.

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

(e) Limited Exception.—Notwithstanding subsections (a) and (b), information provided in an application for permanent resident status on a conditional basis or a request for DACA may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for permanent resident status on a conditional basis;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

(4) for the investigation or prosecution of any felony not related to immigration status.
(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 109. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

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

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

TITLE II—BORDER SECURITY FUNDING

SEC. 201. BORDER SECURITY FUNDING.

There is hereby appropriated to the “U.S. Customs and Border Protection--Procurement, Construction, and Improvements” account, out of any amounts in the Treasury not otherwise appropriated, $5,700,000,000, to be available for a border wall system along the southern border of the United States, including physical barriers and associated detection technology, roads, and lighting.
TITLE III—ESPERER ACT OF 2019

SECTION 301. SHORT TITLE.

This title may be cited as the “Extending Status Protection for Eligible Refugees with Established Residency Act of 2019” or as the “ESPERER Act of 2019”.

SEC. 302. ADJUSTMENT OF STATUS OF CERTAIN FOREIGN NATIONALS.

(a) Adjustment of Status.—

(1) In general.—Notwithstanding section 245(c) of the Immigration and Nationality Act (8 U.S.C. 1255(c)), the status of any alien described in subsection (b) shall be adjusted by the Secretary of Homeland Security to that of an alien lawfully admitted for permanent residence, if the alien—

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

(B) is not inadmissible under paragraph (1), (2), (3), (4), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(C) is not deportable under paragraph (1)(E), (1)(G), (2), (4), (5), or (6) of section 237(a) of such Act (8 U.S.C. 1227(a));
(D) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(E) has not been convicted of—

(i) any offense under Federal or State law punishable by a maximum term of imprisonment of more than 1 year; or

(ii) three or more offenses under Federal or State law, for which the alien was convicted on different dates for each of the 3 offenses and sentenced to imprisonment for an aggregate of 90 days or more.

(2) Relationship of application to certain orders.—An alien present in the United States who has been ordered removed, or ordered to depart voluntarily, from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition on submitting or granting such application, to file a motion to reopen, reconsider, or vacate such order. If the Secretary of Homeland Security grants the application,
the Secretary of Homeland Security shall cancel the order. If the Secretary of Homeland Security renders a final administrative decision to deny the application, the order shall be effective and enforceable to the same extent as if the application had not been made.

(b) Aliens Eligible for Adjustment of Status.—The benefits provided by subsection (a) shall apply to any alien—

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

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

(A) on January 13, 2011; and

(B) on the date of the application for adjustment of status under this Act is filed;

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

(4) who has been physically present in the United States for at least 1 year and is physically present in the United States on the date the application for adjustment of status under this Act is filed, except an alien shall not be considered to have failed to maintain continuous physical presence by reason
of an absence, or absences, from the United States for any periods in the aggregate not exceeding 180 days.

(c) Stay of Removal.—

(1) In General.—The Secretary of Homeland Security shall provide by regulation for an alien subject to a final order of removal to seek a stay of such order based on the filing of an application under subsection (a).

(2) During Certain Proceedings.—Notwithstanding any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), the Secretary of Homeland Security shall not order any alien to be removed from the United States, if the alien is in removal proceedings under any provision of such Act and raises as a defense to such an order the eligibility of the alien to apply for adjustment of status under subsection (a), except where the Secretary of Homeland Security has rendered a final administrative determination to deny the application.

(3) Work Authorization.—The Secretary of Homeland Security may authorize an alien who has applied for adjustment of status under subsection (a) to engage in employment in the United States during the pendency of such application and may
provide the alien with a “work authorized” endorse-
ment or other appropriate document signifying au-
thorization of employment, except that if such appli-
cation is pending for a period exceeding 180 days,
and has not been denied, the Secretary of Homeland
Security shall authorize such employment.

(d) Adjustment of Status for Spouses and
Children.—

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

(A) the alien is the spouse, child, or un-
marrid son or daughter, of an alien whose sta-
tus is adjusted to that of an alien lawfully ad-
mitted for permanent residence under sub-
section (a), except that in the case of such an
unmarried son or daughter, the son or daughter
shall be required to establish that they have
been physically present in the United States for
at least 1 year;
(B) the alien applies for such adjustment and is physically present in the United States on the date the application is filed; and

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

(2) Proof of Continuous Presence.—For purposes of establishing the period of continuous physical presence referred to in paragraph (1)(B), an alien shall not be considered to have failed to maintain continuous physical presence by reason of an absence, or absences, from the United States for any periods in the aggregate not exceeding 180 days.

(e) Availability of Administrative Review.—The Secretary of Homeland Security shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—
(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255); or

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

(f) LIMITATION ON JUDICIAL REVIEW.—A determination by the Secretary of Homeland Security as to whether the status of any alien should be adjusted under this Act is final and shall not be subject to review by any court.

(g) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—When an alien is granted the status of having been lawfully admitted for permanent residence pursuant to this Act, the Secretary of State shall not reduce the number of immigrant visas authorized to be issued under any provision of the Immigration and Nationality Act.

(h) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this section, the definitions contained in the Immigration and Nationality Act shall apply in the administration of this Act. Nothing contained in this Act shall be held to repeal, amend, alter, modify, effect, or restrict the powers, duties, functions, or authority of the Secretary of Homeland Security in the administration and enforcement of such Act or any other law relating to immigration,
nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

At the end of the bill, add the following:

DIVISION I—SUPPLEMENTAL

APPROPRIATIONS ACT, 2019

Be in enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

Processing, Research and Marketing

Office of the Secretary

For an additional amount for the “Office of the Secretary”, $1,105,442,000, which shall remain available until December 31, 2020, for necessary expenses related
to losses of crops (including milk), trees, bushes, and vines, as a consequence of Hurricanes Michael or Florence, other hurricanes, typhoons, volcanic activity, or wildfires occurring in calendar year 2018 under such terms and conditions as determined by the Secretary: Provided, That the Secretary may provide assistance for such losses in the form of block grants to eligible states and territories and such assistance may include compensation to producers, as determined by the Secretary, for past or future crop insurance premiums, forest restoration, and poultry and livestock losses: Provided further, That of the amounts provided under this heading, tree assistance payments may be made under section 1501(e) of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) to eligible orchardists or nursery tree growers (as defined in such section) of pecan trees with a tree mortality rate that exceeds 7.5 percent (adjusted for normal mortality) and is less than 15 percent (adjusted for normal mortality), to be available until expended, for losses incurred during the period beginning January 1, 2018, and ending December 31, 2018: Provided further, That in the case of producers impacted by volcanic activity that resulted in the loss of crop land, or access to crop land, the Secretary shall consider all measures available, as appropriate, to bring replacement land into production: Provided further, That the total
amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 90 percent of the loss as determined by the Secretary: Provided further, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the applicable crop year under NAP for the crop incurring the losses shall not exceed 70 percent of the loss as determined by the Secretary: Provided further, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, excluding tree insurance policies, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Sec-
Provided further, That, not later than 120 days after the end of fiscal year 2019, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY

EMERGENCY FOREST RESTORATION PROGRAM

For an additional amount for the “Emergency Forest Restoration Program”, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $480,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for “Watershed and Flood Prevention Operations”, for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Michael and Florence and
wildfires occurring in calendar year 2018, and other natural disasters, $125,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

For an additional amount for the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $150,000,000, to remain available until expended: Provided, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
GENERAL PROVISIONS—THIS TITLE

SEC. 101. In addition to other amounts made available by section 309 of Public Law 115–72, there is hereby appropriated $600,000,000 for the Secretary of Agriculture to provide a grant to the Commonwealth of Puerto Rico for disaster nutrition assistance in response to Presidentially declared major disasters and emergencies: Provided, That the funds made available to the Commonwealth of Puerto Rico under this section shall remain available for obligation by the Commonwealth until September 30, 2020, and shall be in addition to funds otherwise made available: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. In addition to amounts otherwise made available, out of the funds made available under section 18 of Food and Nutrition Act of 2008, $10,200,000 shall be available for the Secretary to provide a grant to the Commonwealth of the Northern Mariana Islands for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: Provided, That funds made available to the Commonwealth of the Northern Mariana Islands under this section shall remain avail-
able for obligation by the Commonwealth until September 30, 2020: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 103. For purposes of administering title I of subdivision 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), losses to agricultural producers resulting from hurricanes shall also include losses of peach and blueberry crops in calendar year 2017 due to extreme cold: Provided, That the amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 104. (a)(1) Except as provided in paragraph (2), a person or legal entity is not eligible to receive a payment under the Market Facilitation Program estab-
lished pursuant to the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) if the average adjusted gross income of such person or legal entity is greater than $900,000.

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

(b) A person or legal entity may not receive a payment under the Market Facilitation Program described in subsection (a)(1), directly or indirectly, of more than $125,000.

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

(d) The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for “Economic Development Assistance Programs” for necessary expenses related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, and of wildfires, volcanic eruptions, earthquakes, and other natural disasters occurring in calendar year 2018 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $600,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That within the amount appropriated, up to 2 percent of funds may be transferred to the “Salaries and Expenses” account for administration and oversight activities: Provided further, That within the amount appro
priated, $1,000,000 shall be transferred to the “Office of Inspector General” account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities” for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Yutu, and of wildfires, $120,570,000, to remain available until September 30, 2020, as follows:

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

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

(3) $31,570,000 for mapping, charting, and geodesy services;

(4) $25,000,000 to improve: (a) hurricane intensity forecasting, including through deployment of unmanned ocean observing platforms and enhanced data assimilation; (b) flood prediction, forecasting, and mitigation capabilities; and (c) wildfire prediction, detection, and forecasting; and
(5) $50,000,000 for Title IX Fund grants as authorized under section 906(e) of division O of Public Law 114–113:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for funding provided under subsection (4) of this heading within 45 days after the date of enactment of this Act.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for “Procurement, Acquisition and Construction”, $25,000,000, to remain available until September 30, 2021, for improvements to operational and research weather supercomputing infrastructure and satellite ground services used for hurricane intensity and track prediction; flood prediction, forecasting, and mitigation; and wildfire prediction, detection, and forecasting: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the National Oceanic and Atmospheric Administra-
tion shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

FISHERIES DISASTER ASSISTANCE

For an additional amount for “Fisheries Disaster Assistance” for necessary expenses associated with the mitigation of fishery disasters, $150,000,000, to remain available until expended: Provided, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, including those declared by the Secretary to be a direct result of Hurricanes Florence and Michael and Typhoons Yutu and Mangkhut: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, $1,336,000: Provided, That such amount is
designated by the Congress as being for an emergency re-
requirement pursuant to section 251(b)(2)(A)(i) of the Bal-

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facili-
ties” for necessary expenses related to the consequences
of Hurricanes Florence and Michael and Typhoon Yutu,
$28,400,000, to remain available until expended: Pro-
vided, That such amount is designated by the Congress
as being for an emergency requirement pursuant to sec-
tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to the Legal
Services Corporation” to carry out the purposes of the
Legal Services Corporation Act by providing for necessary
expenses related to the consequences of Hurricanes Flor-
ence, Michael, and Lane, Typhoons Yutu and Mangkhut,
and calendar year 2018 wildfires, volcanic eruptions, and
earthquakes, $15,000,000: Provided, That such amount is
designated by the Congress as being for an emergency re-
requirement pursuant to section 251(b)(2)(A)(i) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985: 

Provided further, That none of the funds appropriated in 
this Act to the Legal Services Corporation shall be ex-
pended for any purpose prohibited or limited by, or con-
trary to any of the provisions of, sections 501, 502, 503, 
504, 505, and 506 of Public Law 105–119, and all funds 
appropriated in this Act to the Legal Services Corporation 
shall be subject to the same terms and conditions set forth 
in such sections, except that all references in sections 502 
and 503 to 1997 and 1998 shall be deemed to refer in-
stead to 2018 and 2019, respectively, and except that sec-
tions 501 and 503 of Public Law 104–134 (referenced by 
Public Law 105–119) shall not apply to the amount made 
available under this heading: Provided further, That, for 
the purposes of this Act, the Legal Services Corporation 
shall be considered an agency of the United States Gov-
ernment.

TITLE III

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE, MARINE CORPS

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

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, $400,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

INVESTIGATIONS

For an additional amount for “Investigations” for necessary expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection, studies which are currently authorized or which are authorized after the date of enactment of this Act, to reduce risk from future floods and hurricanes, at full Federal expense, $35,000,000, to remain available until expended, in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: Provided, That such amount is designated by
the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House and the Senate detailing the allocation and obligation of these funds, including new studies selected to be initiated using funds provided under this heading, beginning not later than 60 days after the enactment of this Act.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses, $715,000,000, to remain available until expended, to construct flood and storm damage reduction, including shore protection, projects which are currently authorized or which are authorized after the date of enactment of this Act, and flood and storm damage reduction, including shore protection, projects which have signed Chief’s Reports as of the date of enactment of this Act or which are studied using funds provided under the heading “Investigations” if the Secretary determines such projects to be technically feasible, economically justified, and environmentally acceptable, in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and
Tropical Storm Gita: Provided, That projects receiving funds provided in Public Law 115–123 shall not be eligible for funding provided under this heading: Provided further, That for projects receiving funding under this heading, the provisions of Section 902 of the Water Resources Act of 1986 shall not apply to these funds: Provided further, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: Provided further, That using funds provided under this heading, the non-Federal cash contribution for projects not eligible as ongoing construction projects shall be financed in accordance with the provisions of section 103(k) of Public Law 99–662 over a period of 30 years from the date of completion of the project or separable element: Provided further, That up to $25,000,000 of the funds made available under this heading shall be used for continuing authorities projects to reduce the risk of flooding and storm damage: Provided further, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages
due to the construction or operation and maintenance of
the project, except for damages due to the fault or neg-
ligence of the United States or its contractors: Provided
further, That such amount is designated by the Congress
as being for an emergency requirement pursuant to sec-
tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
gency Deficit Control Act of 1985: Provided further, That
the Assistant Secretary of the Army for Civil Works shall
provide a monthly report directly to the Committees on
Appropriations of the House of Representatives and the
Senate detailing the allocation and obligation of these
funds, beginning not later than 60 days after the date of
the enactment of this Act.

MISSISSIPPI RIVER AND TRIBUTARIES

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

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal projects caused by, natural disasters, $245,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.
DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For an additional amount for “Central Utah Project Completion Account”, $350,000, to be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission, to remain available until expended, for expenses necessary in carrying out fire remediation activities related to wildfires in 2018: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for “Water and Related Resources”, $15,500,000, to remain available until expended, for fire remediation and suppression emergency assistance related to wildfires in 2017 and 2018: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Electricity Delivery”, $15,500,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, and Super Typhoon Yutu, including technical assistance related to electric grids: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of Electricity Delivery shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.
TITLE V

DEPARTMENT OF HOMELAND SECURITY
SECURITY, ENFORCEMENT, AND
INVESTIGATIONS

COAST GUARD

OPERATIONS AND SUPPORT

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

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $476,755,000, to remain available until September 30, 2023: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for “Environmental Compliance and Restoration” for necessary expenses related to the consequences of Hurricanes Michael and Florence, $2,000,000, to remain available until September 30, 2023:

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

GENERAL PROVISIONS—THIS TITLE

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

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

SEC. 502. The Administrator of the Federal Emergency Management Agency may provide assistance, pursuant to section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), for critical services as defined in section 406 of the
Robert T. Stafford Disaster Relief and Emergency Assistance Act for the duration of the recovery for incidents DR–4404, DR–4396, and DR–4398 to—

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

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

TITLE VI

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, and flooding associated with major declared disaster DR–4365, and calendar year 2018 earthquakes, $82,400,000, to remain available until expended: Provided, That of this amount $50,000,000 shall be used to restore and rebuild national wildlife refuges and increase the resiliency and capacity of coastal habitat and
infrastructure to withstand storms and reduce the amount
of damage caused by such storms: Provided further, That
such amount is designated by the Congress as being for
an emergency requirement pursuant to section
251(b)(2)(A)(i) of the Balanced Budget and Emergency

NATIONAL PARK SERVICE
HISTORIC PRESERVATION FUND

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

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfies, earthquakes, and volcanic eruptions, $78,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for “Surveys, Investigations, and Research” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, earthquake damage associated with emergency declaration EM–3410, and in those areas impacted by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to calendar year 2018 wildfires or volcanic eruptions, $98,500,000, to remain available until expended: Provided, That of this amount, $72,310,000 is for costs re-
lated to the repair and replacement of equipment and fa-
cilities damaged by disasters in 2018: Provided further,
That, not later than 90 days after enactment of this Act,
the Survey shall submit a report to the Committees on
Appropriations that describes the potential options to re-
place the facility damaged by the 2018 volcano disaster
along with cost estimates and a description of how the
Survey will provide direct access for monitoring volcanic
activity and the potential threat to at-risk communities:
Provided further, That such amount is designated by the
Congress as being for an emergency requirement pursuant
to section 251(b)(2)(A)(i) of the Balanced Budget and

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for “Technical Assistance”
for financial management expenses related to the con-
sequences of Typhoon Yutu, $2,000,000, to remain avail-
able until expended: Provided, That such amount is des-
ignated by the Congress as being for an emergency re-
quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

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

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

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

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For an additional amount for “Leaking Underground Storage Tank Fund” for necessary expenses related to the
consequences of Hurricanes Florence and Michael, calendar year 2018 earthquakes, and Typhoon Yutu, $1,500,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For additional amounts for “State and Tribal Assistance Grants” for necessary expenses related to the consequences of Hurricanes Florence and Michael and calendar year 2018 earthquakes for the hazardous waste financial assistance grants program, $1,500,000, to remain available until expended; for necessary expenses related to the consequences of Typhoon Yutu for the hazardous waste financial assistance grants program and for other solid waste management activities, $56,000,000, to remain available until expended, provided that none of these funds shall be subject to section 3011(b) of the Solid Waste Disposal Act; and for grants under section 106 of the Federal Water Pollution Control Act, $5,000,000, to remain available until expended, to address impacts of Hurricane Florence, Hurricane Michael, Typhoon Yutu, and calendar year 2018 wildfires, notwithstanding subsections (b), (e), and (f), of such section: Provided, That such amounts are
designated by the Congress as being for an emergency re-
quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

For an additional amount for “State and Tribal As-
sistance Grants”, $349,400,000 to remain available until 
expended, of which $53,300,000 shall be for capitalization 
grants for the Clean Water State Revolving Funds under 
title VI of the Federal Water Pollution Control Act, and 
of which $296,100,000 shall be for capitalization grants 
under section 1452 of the Safe Drinking Water Act: Pro-
vided, That notwithstanding section 604(a) of the Federal 
Water Pollution Control Act and section 1452(a)(1)(D) of 
the Safe Drinking Water Act, funds appropriated herein 
shall be provided to States in EPA Regions 4, 9, and 10 
in amounts determined by the Administrator for waste-
water treatment works and drinking water facilities im-
pacted by Hurricanes Florence and Michael, Typhoon 
Yutu, and calendar year 2018 wildfires and earthquakes: 
Provided further, That notwithstanding the requirements 
of section 603(i) of the Federal Water Pollution Control 
Act and section 1452(d) of the Safe Drinking Water Act, 
for the funds appropriated herein, each State shall use not 
less than 20 percent but not more than 30 percent amount 
of its capitalization grants to provide additional subsidiza-
tion to eligible recipients in the form of forgiveness of prin-
cipal, negative interest loans or grants or any combination of these: *Provided further,* That the Administrator shall retain $10,400,000 of the funds appropriated herein for grants for drinking water facilities and waste water treatment plants impacted by Typhoon Yutu: *Provided further,* That the funds appropriated herein shall be used for eligible projects whose purpose is to reduce flood or fire damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further,* That the Administrator of the Environmental Protection Agency may retain up to $1,000,000 of the funds appropriated herein for management and oversight: *Provided further,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

In addition, for an additional amount for “State and Tribal Assistance Grants”, $500,000,000, to remain available until expended, of which $261,000,000 shall be for capitalization grants for the Clean Water State Revolving
Funds under title VI of the Federal Water Pollution Control Act, and of which $239,000,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: Provided, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States or Territories in EPA Regions 2, 4 and 6 in amounts determined by the Administrator for wastewater and drinking water treatment works and facilities impacted by Hurricanes Harvey, Irma, and Maria: Provided further, That, for Region 2, such funds allocated from funds appropriated herein shall not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3) of the Federal Water Pollution Control Act nor the matching requirements of section 1452(e) of the Safe Drinking Water Act: Provided further, That, for Region 2, notwithstanding the requirements of section 603(i) of the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, each State and Territory shall use the full amount of its capitalization grants allocated from funds appropriated herein to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: Provided further, That, for Regions 4 and 6, not-
withstanding the requirements of section 603(i) of the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, for the funds allocated, each State shall use not less than 20 percent but not more than 30 percent amount of its capitalization grants allocated from funds appropriated herein to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: Provided further, That the Administrator shall retain $74,600,000 of the funds appropriated herein for grants to any state or territory that has not established a water pollution control revolving fund pursuant to title VI of the Federal Water Pollution Control Act or section 1452 of the Safe Drinking Water Act for drinking water facilities and waste water treatment plants impacted by Hurricanes Irma and Maria: Provided further, That the funds appropriated herein shall only be used for eligible projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: Provided further, That, for Region
2, notwithstanding section 603(d)(2) of the Federal Water
Pollution Control Act and section 1452(f)(2) of the Safe
Drinking Water Act, funds allocated from funds appropri-
ated herein may be used to make loans or to buy, refi-
nance or restructure the debt obligations of eligible recipi-
ents only where such debt was incurred on or after Sep-
tember 20, 2017: Provided further, That the Adminis-
trator of the Environmental Protection Agency may retain
up to $1,000,000 of the funds appropriated herein for
management and oversight: Provided further, That such
amount is designated by the Congress as being for an
emergency requirement pursuant to section
251(b)(2)(A)(i) of the Balanced Budget and Emergency

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

FOREST AND RANGELAND RESEARCH

For an additional amount for “Forest and Rangeland
Research” for necessary expenses related to the con-
sequences of Hurricanes Florence and Michael, and the
calendar year 2018 wildfires, $1,000,000, to remain avail-
able until expended for the forest inventory and analysis
program: Provided, That such amount is designated by the
Congress as being for an emergency requirement pursuant
to section 251(b)(2)(A)(i) of the Balanced Budget and

STATE AND PRIVATE FORESTRY

For an additional amount for “State and Private
Forestry” for necessary expenses related to the con-
sequences of Hurricanes Florence and Michael, and the
calendar year 2018 wildfires, $2,000,000, to remain avail-
able until expended: Provided, That such amount is des-
ignated by the Congress as being for an emergency re-
quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

NATIONAL FOREST SYSTEM

For an additional amount for “National Forest Sys-
tem” for necessary expenses related to the consequences
of Hurricanes Florence and Michael, and the calendar
year 2018 wildfires, $63,960,000, to remain available
until expended: Provided, That such amount is designated
by the Congress as being for an emergency requirement
pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement
and Maintenance” for necessary expenses related to the
consequences of Hurricanes Florence and Michael, and the
calendar year 2018 wildfires, $36,040,000, to remain
available until expended: Provided, That such amount is
designated by the Congress as being for an emergency re-
quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

WILDLAND FIRE MANAGEMENT
(INCLUDING TRANSFER OF FUNDS)

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

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
SCIENCES

For an additional amount for “National Institute of
Environmental Health Sciences” for necessary expenses in
carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986 related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, $1,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

Sec. 601. Not later than 45 days after the date of enactment of this Act, the agencies receiving funds appropriated by this title shall provide a detailed operating plan of anticipated uses of funds made available in this title by State and Territory, and by program, project, and activity, to the Committees on Appropriations: Provided, That no such funds shall be obligated before the operating plans are provided to the Committees: Provided further, That such plans shall be updated, including obligations to date, and submitted to the Committees on Appropriations every 60 days until all such funds are expended.
For an additional amount for “Training and Employment Services”, $50,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, or the California wildfires occurring in calendar year 2018, to remain available through September 30, 2020: Provided, That the Secretary of Labor may transfer up to $1,000,000 of such funds to any other Department of Labor account for reconstruction and recovery needs, including worker protection activities: Provided further, That these sums may be used to replace grant funds previously obligated to the impacted areas: Provided further, That of the amount provided, up to $500,000, to remain available until expended, shall be transferred to “Office of Inspector General” for oversight of activities responding to such consequences: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Health Surveillance and Program Support

For an additional amount for “Health Surveillance and Program Support”, $30,000,000, to remain available until September 30, 2019, for grants, contracts and cooperative agreements for behavioral health treatment, crisis counseling, and other related helplines, and for other similar programs to provide support to individuals impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and the California wildfires occurring in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191): Provided, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
Administration for Children and Families

Social Services Block Grant

For an additional amount for “Social Services Block Grant”, $250,000,000, which shall remain available through September 30, 2020, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and the California wildfires in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191): Provided, That notwithstanding section 2002 of the Social Security Act, the distribution of such amount shall be limited to States directly affected by these events: Provided further, That the time limits in section 2002(c) of the Social Security Act shall not apply to funds appropriated in this paragraph that are used for renovation, repair or construction: Provided further, That funds appropriated in this paragraph are in addition to the entitlement grants authorized by section 2002(a)(1) of the Social Security Act and shall not be available for such entitlement grants: Provided further, That in addition to other uses permitted by title XX of the Social Security Act, funds appropriated in this paragraph may be used for health services (including mental health services), and for
costs of renovating, repairing, and construction of health care facilities (including mental health facilities), child care centers, and other social services facilities: Provided further, That of the amount provided, up to $1,000,000, to remain available until expended, shall be transferred to “Office of the Secretary—Office of Inspector General” for oversight of activities responding to such hurricanes, typhoons, and wildfires: Provided further, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: Provided further, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: Provided further, That up to $3,000,000 may be used to supplement amounts available for the necessary expenses of administering subtitle A of title XX of the Social Security Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for “Children and Families Services Programs”, $60,000,000, to remain available
until September 30, 2021, for Head Start programs, including making payments under the Head Start Act, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and the California wildfires in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191): Provided, That none of the funds appropriated in this paragraph shall be included in the calculation of the “base grant” in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: Provided further, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: Provided further, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: Provided further, That up to $2,000,000 shall be available for Federal administrative expenses: Provided further, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: Provided further, That such amount is designated
by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

EDUCATION RECOVERY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Education Recovery” for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, the California wildfires in 2018, the November 2018 Anchorage Earthquake or the volcanic eruption and earthquakes in Hawaii in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as a “covered disaster or emergency”), $165,000,000, to remain available through September 30, 2019: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such assistance may be provided through any of the programs authorized under this heading in division B of title VIII of Public Law 115–123 (as amended by Public Law 115–
as determined by the Secretary of Education, and subject to the terms and conditions that applied to those programs, except that references to dates and school years in Public Law 115–123 shall be deemed to be the corresponding dates and school years for the covered disaster or emergency. Provided further, That the Secretary of Education may determine the amounts to be used for each such program and shall notify the Committees on Appropriations of the House of Representatives and the Senate of these amounts not later than 7 days prior to obligation: Provided further, $2,000,000 of the funds made available under this heading, to remain available until expended, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to $1,000,000 of the funds made available under this heading shall be for program administration.

GENERAL PROVISIONS—THIS TITLE

Sec. 701. (a) Section 1108(g)(5) of the Social Security Act (42 U.S.C. 1308(g)(5)) is amended—

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

(2) in subparagraph (C), in the matter preceding clause (i), by striking “and (E)” and inserting “and (F)”;
(3) by redesignating subparagraph (E) as subparagraph (F);

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

“(E) Subject to subparagraph (F), for the period beginning January 1, 2019, and ending September 30, 2019, the amount of the increase otherwise provided under subparagraph (A) for the Northern Mariana Islands shall be further increased by $20,000,000.”; and

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

(A) by striking “title XIX, during” and inserting “title XIX—

“(i) during”;

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

(C) by striking “and the Virgin Islands” each place it appears and inserting “, the Virgin Islands, and the Northern Mariana Islands”;

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

(E) by adding at the end the following:
“(ii) for the period beginning January 1, 2019, and ending September 30, 2019, with respect to payments to Guam and American Samoa from the additional funds provided under subparagraph (A), the Secretary shall increase the Federal medical assistance percentage or other rate that would otherwise apply to such payments to 100 percent.”.

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

Sec. 702. Not later than 30 days after the date of enactment of this Act, the Secretaries of Labor, Health and Human Services, and Education shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: Provided, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until all funds are expended or expire.

Sec. 703. The second proviso under the heading “Hurricane Education Recovery” under the heading “De-
partment of Education” under title VIII of subdivision 1
of division B of the Bipartisan Budget Act of 2018 (Public
Law 115–123; 132 Stat. 95) is amended—
(1) in paragraph (2)—
(A) in subparagraph (I), by striking “and”
after the semicolon; and
(B) by adding at the end the following:
“(K) assistance provided to an eligible en-
tity under this heading, including assistance
provided to an eligible entity before the date of
enactment of the Supplemental Appropriations
Act, 2019, may be used by the eligible entity
for a purpose described in section 406 of the
Robert T. Stafford Disaster and Relief Emer-
gency Act (42 U.S.C. 5172), notwithstanding
section 102(e)(3) of title IV of division B of
Public Law 109–148 (119 Stat. 2794), if the
eligible entity will receive funds for that pur-
pose under such section 406; and
“(L) any duplicative Federal assistance
provided under this heading to an eligible entity
may be retained by the entity and used for
other activities to restart school operations in
accordance with this paragraph;”;

January 22, 2019 (2:08 p.m.)
(2) in paragraph (9), by striking “and” after the semicolon;

(3) by redesignating paragraph (10) as paragraph (11); and

(4) by inserting after paragraph (9) the following:

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

Provided, That amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VIII

LEGISLATIVE BRANCH

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $10,000,000, to remain available until expended, for audits and investigations related to Hurricanes Flor-
ence, Lane, and Michael, Typhoons Yutu and Mangkhut, the calendar year 2018 wildfires, earthquakes, and volcano eruptions, and other disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That, not later than 90 days after the date of enactment of this Act, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spend plan specifying funding estimates for audits and investigations of any such declared disasters occurring in 2018 and identifying funding estimates or carryover balances, if any, that may be available for audits and investigations of any other such declared disasters: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX
DEPARTMENT OF DEFENSE
MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, $115,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricanes Florence and Michael on Navy and Marine Corps installations: Pro-
vided, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a master plan for the installations and a form 1391 for each specific project: Provided further, That, not later than 60 days after enactment of this Act, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, $700,000,000, to remain available until September 30, 2023, for planning and design, and construction expenses related to the consequences of Hurricane Michael: Provided, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations significantly damaged by Hurricane Michael: Provided further, That, not later than 60 days after enactment of this Act, the Secretary of the Air Force, or his
designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for “Military Construction, Army National Guard”, $42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: Provided, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: Provided further, That, not later than 60 days after enactment of this Act, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: Provided further, That such amount is designated by the Congress as being for an

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Medical Facilities”, $3,000,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu: Provided, That the Secretary of Veterans Affairs, upon determination that such action is necessary to address needs as a result of the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu, may transfer such funds to any discretionary account of the Department of Veterans Affairs: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall submit notice thereof to the Committee on Appropriations of the House of Representatives and the Senate: Provided further, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided
under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X

DEPARTMENT OF TRANSPORTATION

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

For an additional amount for the “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, $10,542,000 to remain available until expended, for transit systems affected by major declared disasters occurring in calendar year 2018: Provided, That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(f)(2) of such title and shall be in addition to any other appropriations for such purpose: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Of the amounts made available for “Federal Aviation Administration—Operations” in division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), up to $18,000,000 shall also be available for necessary expenses related to the consequences of major declared disasters occurring in calendar year 2018: Provided, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

EMERGENCY RELIEF PROGRAM

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, $1,650,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Community Development Fund”, $1,160,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 (except as otherwise provided under this heading) pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: Provided further, That of the amounts made available under this heading that remain available, after the funds under this heading and under the same heading in Public Law 115–254 have been allocated to meet unmet needs for disasters that oc-
urred in 2018, up to $100,000,000 shall be allocated to meet unmet infrastructure needs for grantees that received allocations for disasters that occurred in 2017 (excluding disasters specified in section 501(a) of title V of this Act) under this heading of division B of Public Law 115–56 and title XI of Public Law 115–123: Provided further, That of the amounts provided in the previous proviso, the Secretary’s unmet infrastructure needs determinations shall not take into account mitigation-specific allocations: Provided further, That any funds made available under this heading and under the same heading in Public Law 115–254 that remain available, after the funds under such headings have been allocated for necessary expenses for activities authorized under such headings, shall be allocated to grantees, for mitigation activities in the most impacted and distressed areas resulting from a major disaster that occurred in 2018: Provided further, That such allocations shall be made in the same proportion that the amount of funds each grantee received under this Act and the same heading in division I of Public Law 115–254 bears to the amount of all funds provided to all grantees that received allocations for disasters that occurred in 2018: Provided further, That of the amounts made available under the text preceding the first proviso under this heading and under the same heading in Public Law 115–
254, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of the sum of such amounts of funds within 120 days after the enactment of this Act based on the best available data, and shall allocate no less than 100 percent of such funds by no later than 180 days after the enactment of this Act: Provided further, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in Public Law 115–254 for non-Federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): Provided further, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses for working capital purposes to aid in recovery: Provided further, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: Provided
further, That with respect to any such duplication of benefits, the Secretary and any grantee under this section shall not take into consideration or reduce the amount provided to any applicant for assistance from the grantee where such applicant applied for and was approved, but declined assistance related to such major disasters that occurred in 2018 from the Small Business Administration under section 7(b) of the Small Business Act (15 U.S.C. 636(b)):

Provided further, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary:

Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Fed-
eral Emergency Management Agency or the Army Corps
of Engineers: Provided further, That funds allocated under
this heading shall not be considered relevant to the non-
disaster formula allocations made pursuant to section 106
of the Housing and Community Development Act of 1974
(42 U.S.C. 5306): Provided further, That a State, unit of
general local government, or Indian tribe may use up to
5 percent of its allocation for administrative costs: Pro-
vided further, That the first proviso under this heading
in the Supplemental Appropriations for Disaster Relief
Requirements Act, 2018 (division I of Public Law 115–
254) is amended by striking “State or unit of general local
government” and inserting “State, unit of general local
government, or Indian tribe (as such term is defined in
section 102 of the Housing and Community Development
Act of 1974 (42 U.S.C. 5302))”: Provided further, That
the sixth proviso under this heading in the Supplemental
Appropriations for Disaster Relief Requirements Act,
2018 (division I of Public Law 115–254) is amended by
striking “State or subdivision thereof” and inserting
“State, unit of general local government, or Indian tribe
(as such term is defined in section 102 of the Housing
and Community Development Act of 1974 (42 U.S.C.
5302))”: Provided further, That in administering the
funds under this heading, the Secretary of Housing and
Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: Provided further, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve
the release of funds for an activity or project assisted 
under this heading if the recipient has adopted an environ-
mental review, approval or permit under the preceding 
proviso or the activity or project is categorically excluded 
from review under the National Environmental Policy Act 
of 1969 (42 U.S.C. 4321 et seq.): Provided further, That 
the Secretary shall publish via notice in the Federal Reg-
ister any waiver, or alternative requirement, to any statute 
or regulation that the Secretary administers pursuant to 
title I of the Housing and Community Development Act 
of 1974 no later than 5 days before the effective date of 
such waiver or alternative requirement: Provided further, 
That of the amounts made available under this heading, 
up to $5,000,000 shall be made available for capacity 
building and technical assistance, including assistance on 
contracting and procurement processes, to support States, 
units of general local government, or Indian tribes (and 
their subrecipients) that receive allocations pursuant to 
this heading, received disaster recovery allocations under 
the same heading in Public Law 115–254, or may receive 
similar allocations for disaster recovery in future appro-
priations Acts: Provided further, That of the amounts 
made available under this heading and under the same 
heading in Public Law 115–254, up to $2,500,000 shall 
be transferred, in aggregate, to “Department of Housing
and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further,* That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115–254 and the aggregate of such amounts shall be available for any of the same such purposes specified under this heading or the same heading in Public Law 115–254 without limitation: *Provided further,* That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**GENERAL PROVISION—THIS TITLE**

**SEC. 1001.** (a) Amounts previously made available for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster, including funds provided under section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as
added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and any mitigation funding provided under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” of Public Law 115–123, that were allocated in response to Hurricane Matthew, may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Florence. In addition, any funds provided under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” in this Act or in division I of Public Law 115–254 that are allocated in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew. Until HUD publishes the Federal Register Notice implementing this provision, grantees may submit for HUD approval revised plans for the use of funds related to Hurricane Matthew that expand the eligible beneficiaries of existing programs contained in such previously approved plans to include those impacted by Hurricane Florence. Approval of any such revised plans shall include the execution of revised grant terms and conditions as necessary.
Once the implementing Notice is published, any additional action plan revisions shall follow the requirements contained therein.

(b) Amounts made available for administrative costs for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas under this Act or any future Act, and amounts previously provided under section 420 of division L of Public Law 114–113, section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” of division B of Public Law 115–56, Public Law 115–123, and Public Law 115–254, shall be available for eligible administrative costs of the grantee related to any disaster relief funding identified in this subsection without regard to the particular disaster appropriation from which such funds originated.
(c) The additional uses pursuant to this section for amounts that were previously designated by the Congress, respectively, as an emergency requirement or as being for disaster relief pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE XI

GENERAL PROVISION—THIS ACT

Sec. 1101. Each amount designated in this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This division may be cited as the “Supplemental Appropriations Act, 2019”.