## AMENDMENT TO RULES COMMITTEE PRINT 118– 36

#### OFFERED BY MR. GREEN OF TEXAS

At the end of title XVII, insert the following new subtitle:

# Subtitle D—Reforming Disaster Recovery Act

#### 3 SEC. 17\_\_\_\_. DEFINITIONS; FINDINGS.

4 (a) DEFINITIONS.—In this subtitle:

5 (1) DEPARTMENT.—The term "Department"
6 means the Department of Housing and Urban De7 velopment.

8 (2) FUND.—The term "Fund" means the
9 Long-Term Disaster Recovery Fund established
10 under section 5.

(3) SECRETARY.—The term "Secretary" means
the Secretary of Housing and Urban Development.
(b) FINDINGS.—Congress finds that—

(1) following a major disaster declared by the
President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act
(42 U.S.C. 5170), the subset of communities that
are most impacted and distressed as a result of the

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disaster face critical social, economic, and environ mental obstacles to recovery, including insufficient
 public and private resources to address disaster-re lated housing and community development needs for
 lower income households and distressed commu nities;

7 (2) unmet disaster recovery needs, including
8 housing assistance needs, can be especially wide9 spread among persons with extremely low-, low-, and
10 moderate-incomes;

(3) economic, social, and housing hardships
that affect communities before disasters are exacerbated during crises and can delay and complicate
long-term recovery, especially after catastrophic
major disasters;

(4) States, units of local government, and Indian Tribes within the most impacted and distressed
areas resulting from major disasters benefit from
flexibility to design programs that meet local needs,
but face inadequate financial, technical, and staffing
capacity to plan and carry out sustained recovery,
restoration, and mitigation activities;

(5) the speed and effectiveness considerations of
long-term recovery from catastrophic major disasters
is improved by predictable investments that support

disaster relief, long-term recovery, restoration of
 housing and infrastructure, and economic revitaliza tion, primarily for the benefit of low- and moderate income persons;

5 (6) undertaking activities that mitigate the ef-6 fects of future natural disasters and extreme weath-7 er and increase the stock of affordable housing, in-8 cluding affordable rental housing, as part of long-9 term recovery can significantly reduce future fiscal 10 and social costs, especially within high-risk areas, 11 and can help to address outstanding housing and 12 community development needs by creating jobs and 13 providing other economic and social benefits within 14 communities that further promote recovery and resil-15 ience; and

16 (7) the general welfare and security of the 17 United States and the health and living standards of 18 its people require targeted resources to support 19 State and local governments in carrying out their re-20 sponsibilities in disaster recovery and mitigation 21 through interim and long-term housing and commu-22 nity development activities that primarily benefit 23 low- and moderate-income persons.

SEC. 17\_\_\_. DUTIES OF THE DEPARTMENT OF HOUSING
 AND URBAN DEVELOPMENT.
 (a) IN GENERAL.—The offices and officers of the De-

4 partment shall be responsible for—

5 (1) leading and coordinating the disaster-re6 lated responsibilities of the Department under the
7 National Response Framework, the National Dis8 aster Recovery Framework, and the National Mitiga9 tion Framework;

10 (2) coordinating and administering programs, 11 policies, and activities of the Department related to 12 disaster relief, long-term recovery, resiliency, and 13 mitigation, including disaster recovery assistance 14 under title I of the Housing and Community Devel-15 opment Act of 1974 (42 U.S.C. 5301 et seq.);

16 (3) supporting disaster-impacted communities
17 as those communities specifically assess, plan for,
18 and address the housing stock and housing needs in
19 the transition from emergency shelters and interim
20 housing to permanent housing of those displaced, es21 pecially among vulnerable populations and extremely
22 low-, low-, and moderate-income households;

(4) collaborating with the Federal Emergency
Management Agency and the Small Business Administration and across the Department to align disaster-related regulations and policies, including in-

corporation of consensus-based codes and standards
 and insurance purchase requirements, and ensuring
 coordination and reducing duplication among other
 Federal disaster recovery programs;

5 (5) promoting best practices in mitigation and 6 land use planning, including consideration of tradi-7 tional, natural, and nature-based infrastructure al-8 ternatives;

9 (6) coordinating technical assistance, including 10 mitigation, resiliency, and recovery training and in-11 formation on all relevant legal and regulatory re-12 quirements, to entities that receive disaster recovery 13 assistance under title I of the Housing and Commu-14 nity Development Act of 1974 (42 U.S.C. 5301 et 15 seq.) that demonstrate capacity constraints; and

16 (7) supporting State, Tribal, and local govern17 ments in developing, coordinating, and maintaining
18 their capacity for disaster resilience and recovery
19 and developing pre-disaster recovery and hazard
20 mitigation plans, in coordination with the Federal
21 Emergency Management Agency and other Federal
22 agencies.

(b) ESTABLISHMENT OF THE OFFICE OF DISASTER
MANAGEMENT AND RESILIENCY.—Section 4 of the Department of Housing and Urban Development Act (42)

U.S.C. 3533) is amended by adding at the end the fol lowing:

3	"(i) Office of Disaster Management and R	E-
4	SILIENCY.—	

5 "(1) ESTABLISHMENT.—There is established,
6 in the Office of the Secretary, the Office of Disaster
7 Management and Resiliency.

8 "(2) DUTIES.—The Office of Disaster Manage9 ment and Resiliency shall—

10 "(A) be responsible for oversight and co11 ordination of all departmental disaster pre12 paredness and response responsibilities; and

"(B) coordinate with the Federal Emergency Management Agency, the Small Business
Administration, and the Office of Community
Planning and Development and other offices of
the Department in supporting recovery and resilience activities to provide a comprehensive
approach in working with communities.".

#### 20 SEC. 17\_\_\_\_. LONG-TERM DISASTER RECOVERY FUND.

(a) ESTABLISHMENT.—There is established in the
Treasury of the United States an account to be known
as the Long-Term Disaster Recovery Fund.

24 (b) Deposits, Transfers, and Credit.—

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1	(1) IN GENERAL.—The Fund shall consist of
2	amounts appropriated, transferred, and credited to
3	the Fund.
4	(2) TRANSFERS.—The following may be trans-
5	ferred to the Fund:
6	(A) Amounts made available through sec-
7	tion $106(c)(4)$ of the Housing and Community
8	Development Act of 1974 (42 U.S.C.
9	5306(c)(4)) as a result of actions taken under
10	section $104(e)$ , $111$ , or $123(j)$ of such Act.
11	(B) Any unobligated balances available
12	until expended remaining or subsequently re-
13	captured from amounts appropriated for any
14	disaster and related purposes under the heading
15	"Community Development Fund" in any Act
16	prior to the establishment of the Fund.
17	(3) USE OF TRANSFERRED AMOUNTS.—
18	Amounts transferred to the Fund shall be used for
19	the eligible uses described in subsection (c).
20	(c) ELIGIBLE USES OF FUND.—
21	(1) IN GENERAL.—Amounts in the Fund shall
22	be available—
23	(A) to provide assistance in the form of
24	grants under section 123 of the Housing and
25	Community Development Act of 1974; and

(B) for activities of the Department that
support the provision of such assistance, includ-
ing necessary salaries and expenses, informa-
tion technology, capacity building and technical
assistance (including assistance related to pre-
disaster planning), and readiness and other pre-
disaster planning activities that are not readily
attributable to a single major disaster.
(2) Set aside.—Of each amount appropriated
for or transferred to the Fund, 2 percent shall be
made available for activities described in paragraph
(1)(B), which shall be in addition to other amounts
made available for those activities.
(3) TRANSFER OF FUNDS.—Amounts made
available for use in accordance with paragraph $(2)$ —
(A) may be transferred to the account
under the heading for "Program Offices—Com-
munity Planning and Development", or any
successor account, for the Department to carry
successor account, for the Department to carry out activities described in paragraph (1)(B);
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out activities described in paragraph (1)(B);
out activities described in paragraph (1)(B); and

propriated to the Department under the head-

ing "Community Planning and Development—
 Community Development Fund" for any major
 disaster declared under section 401 of the Rob ert T. Stafford Disaster Relief and Emergency
 Assistance Act (42 U.S.C. 5170) in any Act be fore the establishment of the Fund.

7 (d) INTERCHANGEABILITY OF PRIOR ADMINISTRA-8 TIVE AMOUNTS.—Any amounts appropriated in any Act 9 prior to the establishment of the Fund and transferred to the account under the heading "Program Offices Sala-10 ries and Expenses—Community Planning and Develop-11 12 ment", or any predecessor account, for the Department for the costs of administering funds appropriated to the 13 Department under the heading "Community Planning and 14 15 Development—Community Development Fund" for any major disaster declared under section 401 of the Robert 16 17 T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) shall be available for the costs of admin-18 istering any such funds provided by any prior or future 19 20 Act, notwithstanding the purposes for which those 21 amounts were appropriated and in addition to any amount 22 provided for the same purposes in other appropriations 23 Acts.

(e) AVAILABILITY OF AMOUNTS.—Amounts appro priated, transferred, and credited to the Fund shall re main available until expended.

4 (f) FORMULA ALLOCATION.—Use of amounts in the
5 Fund for grants shall be made by formula allocation in
6 accordance with the requirements of section 123(a) of the
7 Housing and Community Development Act of 1974.

8 (g) AUTHORIZATION OF APPROPRIATIONS.—There 9 are authorized to be appropriated to the Fund such sums 10 as may be necessary to respond to current or future major 11 disasters declared under section 401 of the Robert T. 12 Stafford Disaster Relief and Emergency Assistance Act 13 (42 U.S.C. 5179) for grants under section 123 of the 14 Housing and Community Development Act of 1974.

### 15 SEC. 17\_\_\_. ESTABLISHMENT OF CDBG DISASTER RECOV-16 ERY PROGRAM.

17 Title I of the Housing and Community Development
18 Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

19	(1) in section 102(a) (42 U.S.C. 5302(a))—
20	(A) in paragraph (20)—
21	(i) by redesignating subparagraph (B)
22	as subparagraph (C);
23	(ii) in subparagraph (C), as so redes-
24	ignated, by inserting "or (B)" after "sub-
25	paragraph (A)"; and

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1	(iii) by inserting after subparagraph
2	(A) the following:

3 "(B) The term 'persons of extremely low income' means families and individuals whose income 4 5 levels do not exceed household income levels deter-6 mined by the Secretary under section 3(b)(2) of the 7 United States Housing Act of 1937 (42 U.S.C. 8 1437a(b)(2)(C), except that the Secretary may provide alternative definitions for the Commonwealth of 9 10 Puerto Rico, Guam, the Commonwealth of the 11 Northern Mariana Islands, the United States Virgin 12 Islands, and American Samoa."; and

14 "(25) The term 'major disaster' has the mean-15 ing given the term in section 102 of the Robert T. 16 Stafford Disaster Relief and Emergency Assistance 17 Act (42 U.S.C. 5122).";

(B) by adding at the end the following:

18 (2)section 106(c)(4)(42)U.S.C. in 19 5306(c)(4))—

(A) in subparagraph (A)— 21 (i) by striking "declared by the Presi-22 dent under the Robert T. Stafford Disaster 23 Relief and Emergency Assistance Act";

1	(ii) inserting "States for use in non-
2	entitlement areas and to" before "metro-
3	politan cities"; and
4	(iii) inserting "major" after "affected
5	by the";
6	(B) in subparagraph (C)—
7	(i) by striking "metropolitan city or"
8	and inserting "State, metropolitan city,
9	or";
10	(ii) by striking "city or county" and
11	inserting "State, city, or county"; and
12	(iii) by inserting "major" before "dis-
13	aster'';
14	(C) in subparagraph (D), by striking "met-
15	ropolitan cities and" and inserting "States,
16	metropolitan cities, and";
17	(D) in subparagraph (F)—
18	(i) by striking "metropolitan city or"
19	and inserting "State, metropolitan city,
20	or"; and
21	(ii) by inserting "major" before "dis-
22	aster"; and
23	(E) in subparagraph (G), by striking "met-
24	ropolitan city or" and inserting "State, metro-
25	politan city, or";

1 (3) in section 122 (42 U.S.C. 5321), by striking 2 "disaster under title IV of the Robert T. Stafford 3 Disaster Relief and Emergency Assistance Act" and inserting "major disaster"; and 4 5 (4) by adding at the end the following: 6 "SEC. 123. COMMUNITY DEVELOPMENT BLOCK GRANT DIS-7 ASTER RECOVERY PROGRAM. 8 "(a) AUTHORIZATION, FORMULA, AND ALLOCA-9 TION.— 10 "(1) AUTHORIZATION.—The Secretary is au-11 thorized to make community development block 12 grant disaster recovery grants from the Long-Term 13 Disaster Recovery Fund established under subtitle D 14 of title XVII of the Servicemember Quality of Life 15 Improvement and National Defense Authorization 16 Act for Fiscal Year 2025 (hereinafter referred to as 17 the 'Fund') for necessary expenses for activities au-18 thorized under subsection (f)(1) related to disaster 19 relief, long-term recovery, restoration of housing and 20 infrastructure, economic revitalization, and mitiga-21 tion in the most impacted and distressed areas re-22 sulting from a catastrophic major disaster. 23 "(2) GRANT AWARDS.—Grants shall be awarded 24 under this section to States, units of general local

government, and Indian tribes based on capacity and

1	the concentration of damage, as determined by the
2	Secretary, to support the efficient and effective ad-
3	ministration of funds.
4	"(3) Section 106 Allocations.—Grants
5	under this section shall not be considered relevant to
6	the formula allocations made pursuant to section
7	106.
8	"(4) Federal register notice.—
9	"(A) IN GENERAL.—Not later than 30
10	days after the date of enactment of this section,
11	the Secretary shall issue a notice in the Federal
12	Register containing the latest formula allocation
13	methodologies used to determine the total esti-
14	mate of unmet needs related to housing, eco-
15	nomic revitalization, and infrastructure in the
16	most impacted and distressed areas resulting
17	from a catastrophic major disaster.
18	"(B) PUBLIC COMMENT.—If the Secretary
19	has not already requested public comment on
20	the formula described in the notice required by
21	subparagraph (A), the Secretary shall solicit
22	public comments on—
23	"(i) the methodologies described in
24	subparagraph (A) and seek alternative

1	methods for formula allocation within a
2	similar total amount of funding;
3	"(ii) the impact of formula methodolo-
4	gies on rural areas and Tribal areas;
5	"(iii) adjustments to improve tar-
6	geting to the most serious needs;
7	"(iv) objective criteria for grantee ca-
8	pacity and concentration of damage to in-
9	form grantee determinations and minimum
10	allocation thresholds; and
11	"(v) research and data to inform an
12	additional amount to be provided for miti-
13	gation depending on type of disaster, which
14	shall be not more than 30 percent of the
15	total estimate of unmet needs.
16	"(5) Regulations.—
17	"(A) IN GENERAL.—The Secretary shall,
18	by regulation, establish a formula to allocate as-
19	sistance from the Fund to the most impacted
20	and distressed areas resulting from a cata-
21	strophic major disaster.
22	"(B) FORMULA REQUIREMENTS.—The for-
23	mula established under subparagraph (A)
24	shall—

1	"(i) set forth criteria to determine
2	that a major disaster is catastrophic, which
3	criteria shall consider the presence of a
4	high concentration of damaged housing or
5	businesses that individual, State, Tribal,
6	and local resources could not reasonably be
7	expected to address without additional
8	Federal assistance or other nationally en-
9	compassing data that the Secretary deter-
10	mines are adequate to assess relative im-
11	pact and distress across geographic areas;
12	"(ii) include a methodology for identi-
13	fying most impacted and distressed areas,
14	which shall consider unmet serious needs
15	related to housing, economic revitalization,
16	and infrastructure;
17	"(iii) include an allocation calculation
18	that considers the unmet serious needs re-
19	sulting from the catastrophic major dis-
20	aster and an additional amount up to 30
21	percent for activities to reduce risks of loss
22	resulting from other natural disasters in
23	the most impacted and distressed area, pri-
24	marily for the benefit of low- and mod-
25	erate-income persons, with particular focus

1	on activities that reduce repetitive loss of
2	property and critical infrastructure; and
3	"(iv) establish objective criteria for
4	periodic review and updates to the formula
5	to reflect changes in available science and
6	data.
7	"(C) MINIMUM ALLOCATION THRESH-
8	OLD.—The Secretary shall, by regulation, es-
9	tablish a minimum allocation threshold.
10	"(D) INTERIM ALLOCATION.—Until such
11	time that the Secretary issues final regulations
12	under this paragraph, the Secretary shall—
13	"(i) allocate assistance from the Fund
14	using the formula allocation methodology
15	published in accordance with paragraph
16	(4); and
17	"(ii) include an additional amount for
18	mitigation equal to 15 percent of the total
19	estimate of unmet need.
20	"(6) Allocation of funds.—
21	"(A) IN GENERAL.—The Secretary shall—
22	"(i) except as provided in clause (ii),
23	not later than 90 days after the President
24	declares a major disaster, use best avail-
25	able data to determine whether the major

1	disaster is catastrophic and qualifies for
2	assistance under the formula described in
3	paragraph (4) or (5), unless data is insuf-
4	ficient to make this determination; and
5	"(ii) if the best available data is insuf-
6	ficient to make the determination required
7	under clause (i) within the 90-day period
8	described in that clause, the Secretary
9	shall determine whether the major disaster
10	qualifies when sufficient data becomes
11	available, but in no case shall the Sec-
12	retary make the determination later than
13	120 days after the declaration of the major
14	disaster.
15	"(B) ANNOUNCEMENT OF ALLOCATION.—
16	If amounts are available in the Fund at the
17	time the Secretary determines that the major
18	disaster is catastrophic and qualifies for assist-
19	ance under the formula described in paragraph
20	(4) or (5), the Secretary shall immediately an-
21	nounce an allocation for a grant under this sec-
22	tion.
23	"(C) Additional amounts.—If addi-
24	tional amounts are appropriated to the Fund
25	after amounts are allocated under subpara-

1	graph (B), the Secretary shall announce an al-
2	location or additional allocation (if a prior allo-
3	cation under subparagraph (B) was less than
4	the formula calculation) within 15 days of any
5	such appropriation.
6	"(7) Preliminary funding.—
7	"(A) IN GENERAL.—To speed recovery, the
8	Secretary is authorized to allocate and award
9	preliminary grants from the Fund before mak-
10	ing a determination under paragraph $(6)(A)$ if
11	the Secretary projects, based on a preliminary
12	assessment of impact and distress, that a major
13	disaster is catastrophic and would likely qualify
14	for funding under the formula described in
15	paragraph $(4)$ or $(5)$ .
16	"(B) Amount.—
17	"(i) MAXIMUM.—The Secretary may
18	award preliminary funding under subpara-
19	graph (A) in an amount that is not more
20	than \$5,000,000.
21	"(ii) SLIDING SCALE.—The Secretary
22	shall, by regulation, establish a sliding
23	scale for preliminary funding awarded
24	under subparagraph (A) based on the size

1	of the preliminary assessment of impact
2	and distress.
3	"(C) USE OF FUNDS.—The uses of pre-
4	liminary funding awarded under subparagraph
5	(A) shall be limited to eligible activities that—
6	"(i) in the determination of the Sec-
7	retary, will support faster recovery, im-
8	prove the ability of the grantee to assess
9	unmet recovery needs, plan for the preven-
10	tion of improper payments, and reduce
11	fraud, waste, and abuse; and
12	"(ii) may include evaluating the in-
13	terim housing, permanent housing, and
14	supportive service needs of the disaster im-
15	pacted community, with special attention
16	to vulnerable populations, such as homeless
17	and low- to moderate-income households,
18	to inform the grantee action plan required
19	under subsection (c).
20	"(D) Consideration of funding.—Pre-
21	liminary funding awarded under subparagraph
22	(A)—
23	"(i) is not subject to the certification
24	requirements of subsection $(h)(1)$ ; and

1	"(ii) shall not be considered when cal-
2	culating the amount of the grant used for
3	administrative costs, technical assistance,
4	and planning activities that are subject to
5	the requirements under subsection $(f)(2)$ .
6	"(E) WAIVER.—To expedite the use of
7	preliminary funding for activities described in
8	this paragraph, the Secretary may waive or
9	specify alternative requirements to the require-
10	ments of this section in accordance with sub-
11	section (i).
12	"(F) Amended award.—
13	"(i) IN GENERAL.—An award for pre-
14	liminary funding under subparagraph (A)
15	may be amended to add any subsequent
16	amount awarded because of a determina-
17	tion by the Secretary that a major disaster
18	is catastrophic and qualifies for assistance
19	under the formula.
20	"(ii) Applicability.—Notwith-
21	standing subparagraph (D), amounts pro-
22	vided by an amendment under clause (i)
23	are subject to the requirements under sub-
24	sections $(f)(1)$ and $(h)(1)$ and other re-

1	quirements on grant funds under this sec-
2	tion.
3	"(G) TECHNICAL ASSISTANCE.—Concur-

rent with the allocation of any preliminary
funding awarded under this paragraph, the Secretary shall assign or provide technical assistance to the recipient of the grant.

8 "(b) INTERCHANGEABILITY.—

9 "(1) IN GENERAL.—The Secretary is authorized 10 to approve the use of grants under this section to be 11 used interchangeably and without limitation for the 12 same activities in the most impacted and distressed 13 areas resulting from a declaration of another cata-14 strophic major disaster that qualifies for assistance 15 under the formula established under paragraph (4) or (5) of subsection (a) or a major disaster for 16 17 which the Secretary allocated funds made available 18 under the heading 'Community Development Fund' 19 in any Act prior to the establishment of the Fund. 20 "(2) REQUIREMENTS.—The Secretary shall es-21 tablish requirements to expedite the use of grants 22 under this section for the purpose described in para-23 graph (1).

24 "(3) EMERGENCY DESIGNATION.—Amounts
25 repurposed pursuant to this subsection that were

1	previously designated by Congress as an emergency
2	requirement pursuant to the Balanced Budget and
3	Emergency Deficit Control Act of 1985 or a concur-
4	rent resolution on the budget are designated by Con-
5	gress as an emergency requirement pursuant to sec-
6	tion $4001(a)(1)$ of S. Con. Res. 14 (117th Congress)
7	and legislation establishing fiscal year 2024 budget
8	enforcement in the House of Representatives.
9	"(c) Grantee Plans.—
10	"(1) REQUIREMENT.—Not later than 90 days
11	after the date on which the Secretary announces a
12	grant allocation under this section, unless an exten-
13	sion is granted by the Secretary, the grantee shall
14	submit to the Secretary a plan for approval describ-
15	ing—
16	"(A) the activities the grantee will carry
17	out with the grant under this section;
18	"(B) the criteria of the grantee for award-
19	ing assistance and selecting activities;
20	"(C) how the use of the grant under this
21	section will address disaster relief, long-term re-
22	covery, restoration of housing and infrastruc-
23	ture, economic revitalization, and mitigation in
24	the most impacted and distressed areas;

1	"(D) how the use of the grant funds for
2	mitigation is consistent with hazard mitigation
3	plans submitted to the Federal Emergency
4	Management Agency under section 322 of the
5	Robert T. Stafford Disaster Relief and Emer-
6	gency Assistance Act (42 U.S.C. 5165);
7	"(E) the estimated amount proposed to be
8	used for activities that will benefit persons of
9	low and moderate income;
10	"(F) how the use of grant funds will repair
11	and replace existing housing stock for vulner-
12	able populations, including low- to moderate-in-
13	come households;
14	"(G) how the grantee will address the pri-
15	orities described in paragraph (5);
16	"(H) how uses of funds are proportional to
17	unmet needs, as required under paragraph (6);
18	"(I) for State grantees that plan to dis-
19	tribute grant amounts to units of general local
20	government, a description of the method of dis-
21	tribution; and
22	"(J) such other information as may be de-
23	termined by the Secretary in regulation.
24	"(2) Public consultation.—To permit pub-
25	lic examination and appraisal of the plan described

1	in paragraph (1), to enhance the public account-
2	ability of grantee, and to facilitate coordination of
3	activities with different levels of government, when
4	developing the plan or substantial amendments pro-
5	posed to the plan required under paragraph $(1)$ , a
6	grantee shall—
7	"(A) publish the plan before adoption;
8	"(B) provide citizens, affected units of
9	general local government, and other interested
10	parties with reasonable notice of, and oppor-
11	tunity to comment on, the plan, with a public
12	comment period of not less than 14 days;
13	"(C) consider comments received before
14	submission to the Secretary;
15	"(D) follow a citizen participation plan for
16	disaster assistance adopted by the grantee that,
17	at a minimum, provides for participation of
18	residents of the most impacted and distressed
19	area affected by the major disaster that re-
20	sulted in the grant under this section and other
21	considerations established by the Secretary; and
22	"(E) undertake any consultation with in-
23	terested parties as may be determined by the
24	Secretary in regulation.
25	"(3) Approval.—The Secretary shall—

1	"(A) by regulation, specify criteria for the
2	approval, partial approval, or disapproval of a
3	plan submitted under paragraph (1), including
4	approval of substantial amendments to the
5	plan;
6	"(B) review a plan submitted under para-
7	graph (1) upon receipt of the plan;
8	"(C) allow a grantee to revise and resub-
9	mit a plan or substantial amendment to a plan
10	under paragraph (1) that the Secretary dis-
11	approves;
12	"(D) by regulation, specify criteria for
13	when the grantee shall be required to provide
14	the required revisions to a disapproved plan or
15	substantial amendment under paragraph $(1)$ for
16	public comment prior to resubmission of the
17	plan or substantial amendment to the Sec-
18	retary; and
19	"(E) approve, partially approve, or dis-
20	approve a plan or substantial amendment under
21	paragraph (1) not later than 60 days after the
22	date on which the plan or substantial amend-
23	ment is received by the Secretary.
24	"(4) Low- and moderate-income overall
25	BENEFIT.—

1	"(A) USE OF FUNDS.—Not less than 70
2	percent of a grant made under this section shall
3	be used for activities that benefit persons of low
4	and moderate income unless the Secretary—
5	"(i) specifically finds that—
6	"(I) there is compelling need to
7	reduce the percentage for the grant;
8	and
9	"(II) the housing needs of low-
10	and moderate-income persons have
11	been addressed; and
12	"(ii) issues a waiver and alternative
13	requirement specific to the grant pursuant
14	to subsection (i) to lower the percentage.
15	"(B) REGULATIONS.—The Secretary shall,
16	by regulation, establish protocols consistent
17	with the findings in subtitle D of title XVII of
18	the Servicemember Quality of Life Improvement
19	and National Defense Authorization Act for
20	Fiscal Year 2025 to prioritize the use of funds
21	by a grantee under this section to meet the
22	needs of low- and moderate-income persons and
23	businesses serving primarily persons of low and
24	moderate income.

1	"(5) PRIORITIZATION.—The grantee shall
2	prioritize activities that—
3	"(A) assist persons with extremely low-,
4	low-, and moderate-incomes and other vulner-
5	able populations to better recover from and
6	withstand future disasters, emphasizing those
7	with the most severe needs;
8	"(B) address affordable housing, including
9	affordable rental housing, needs arising from a
10	disaster, or those needs present prior to a dis-
11	aster;
12	"(C) prolong the life of housing and infra-
13	structure;
14	"(D) use cost-effective means of preventing
15	harm to people and property and incorporate
16	protective features, redundancies, and energy
17	savings; and
18	"(E) other measures that will assure the
19	continuation of critical services during future
20	disasters.
21	"(6) Proportional Allocation.—
22	"(A) IN GENERAL.—A grantee under this
23	section shall allocate grant funds proportional
24	to unmet needs between housing activities, eco-

1	nomic revitalization, and infrastructure, unless
2	the Secretary—
3	"(i) specifically finds that—
4	"(I) there is a compelling need
5	for a disproportional allocation among
6	those unmet needs; and
7	"(II) the disproportional alloca-
8	tion described in subclause (I) is not
9	inconsistent with the requirements
10	under paragraph (4); and
11	"(ii) issues a waiver and alternative
12	requirement pursuant to subsection (i) to
13	allow for the disproportional allocation de-
14	scribed in clause (i)(I).
15	"(B) HOUSING ACTIVITIES.—With respect
16	to housing activities described in subparagraph
17	(A)(i), grantees should address proportional
18	needs between homeowners and renters, includ-
19	ing low-income households in public housing
20	and Federally subsidized housing.
21	"(7) DISASTER RISK MITIGATION.—
22	"(A) DEFINITION.—In this paragraph, the
23	term 'hazard-prone areas'—
24	"(i) means areas identified by the
25	Secretary, in consultation with the Admin-

1	istrator of the Federal Emergency Man-
2	agement Agency, at risk from natural haz-
3	ards that threaten property damage or
4	health, safety, and welfare, such as floods,
5	wildfires (including Wildland-Urban Inter-
6	face areas), earthquakes, lava inundation,
7	tornados, and high winds; and
8	"(ii) includes areas having special
9	flood hazards as identified under the Flood
10	Disaster Protection Act of 1973 (42
11	U.S.C. 4002 et seq.) or the National Flood
12	Insurance Act of 1968 (42 U.S.C. 4001 et
13	seq.).
14	"(B) HAZARD-PRONE AREAS.—The Sec-
15	retary, in consultation with the Administrator
16	of the Federal Emergency Management Agency,
17	shall establish minimum construction standards,
18	insurance purchase requirements, and other re-
19	quirements for the use of grant funds in haz-
20	ard-prone areas.
21	"(C) Special flood hazards.—
22	"(i) IN GENERAL.—For the areas de-
23	scribed in subparagraph (A)(ii), the insur-
24	ance purchase requirements established
25	under subparagraph (B) shall meet or ex-

1	ceed the requirements under section $102(a)$
2	of the Flood Disaster Protection Act of
3	1973 (42 U.S.C. 4012a(a)).
4	"(ii) TREATMENT AS FINANCIAL AS-
5	SISTANCE.—All grants under this section
6	shall be treated as financial assistance for
7	purposes of section $3(a)(3)$ of the Flood
8	Disaster Protection Act of $1973$ (42)
9	U.S.C. 4003(a)(3)).
10	"(D) Consideration of future
11	RISKS.—The Secretary may consider future
12	risks to protecting property and health, safety,
13	and general welfare, and the likelihood of those
14	risks, when making the determination of or
15	modification to hazard-prone areas under this
16	paragraph.
17	"(8) Relocation.—
18	"(A) IN GENERAL.—The Uniform Reloca-
19	tion Assistance and Real Property Acquisition
20	Policies Act of 1970 (42 U.S.C. 4601 et seq.)
21	shall apply to activities assisted under this sec-
22	tion to the extent determined by the Secretary
23	in regulation, or as provided in waivers or alter-
24	native requirements authorized in accordance
25	with subsection (i).

1	"(B) POLICY.—Each grantee under this
2	section shall establish a relocation assistance
3	policy that—
4	"(i) minimizes displacement and de-
5	scribes the benefits available to persons
6	displaced as a direct result of acquisition,
7	rehabilitation, or demolition in connection
8	with an activity that is assisted by a grant
9	under this section; and
10	"(ii) includes any appeal rights or
11	other requirements that the Secretary es-
12	tablishes by regulation.
13	"(d) CERTIFICATIONS.—Any grant under this section
14	shall be made only if the grantee certifies to the satisfac-
15	tion of the Secretary that—
16	((1) the grantee is in full compliance with the
17	requirements under subsection $(c)(2)$ ;
18	((2)) for grants other than grants to Indian
19	tribes, the grant will be conducted and administered
20	in conformity with the Civil Rights Act of $1964$ (42)
21	U.S.C. 2000a et seq.) and the Fair Housing Act (42 $$
22	U.S.C. 3601 et seq.);
23	"(3) the projected use of funds has been devel-
24	oped so as to give maximum feasible priority to ac-
25	tivities that will benefit extremely low-, low-, and

1 moderate-income families and activities described in 2 subsection (c)(5), and may also include activities 3 that are designed to aid in the prevention or elimi-4 nation of slum and blight to support disaster recov-5 ery, meet other community development needs hav-6 ing a particular urgency because existing conditions 7 pose a serious and immediate threat to the health or 8 welfare of the community where other financial re-9 sources are not available to meet such needs, and alleviate future threats to human populations, critical 10 11 natural resources, and property that an analysis of 12 hazards shows are likely to result from natural dis-13 asters in the future:

"(4) the grant funds shall principally benefit
persons of low and moderate income as described in
subsection (c)(4);

17 "(5) for grants other than grants to Indian 18 Tribes, within 24 months of receiving a grant or at 19 the time of its 3- or 5-year update, whichever is 20 sooner, the grantee will review and make modifica-21 tions to its non-disaster housing and community de-22 velopment plans and strategies required by sub-23 sections (c) and (m) of section 104 to reflect the dis-24 aster recovery needs identified by the grantee and 25 consistency with the plan under subsection (c)(1);

1 "(6) the grantee will not attempt to recover any 2 capital costs of public improvements assisted in 3 whole or part under this section by assessing any 4 amount against properties owned and occupied by 5 persons of low and moderate income, including any 6 fee charged or assessment made as a condition of 7 obtaining access to such public improvements, un-8 less-

9 "(A) funds received under this section are 10 used to pay the proportion of such fee or as-11 sessment that relates to the capital costs of 12 such public improvements that are financed 13 from revenue sources other than under this 14 chapter; or

15 "(B) for purposes of assessing any amount 16 against properties owned and occupied by per-17 sons of moderate income, the grantee certifies 18 to the Secretary that the grantee lacks suffi-19 cient funds received under this section to com-20 ply with the requirements of subparagraph (A); 21 ((7) the grantee will comply with the other pro-22 visions of this title that apply to assistance under 23 this section and with other applicable laws;

1	"(8) the grantee will follow a relocation assist-
2	ance policy that includes any minimum requirements
3	identified by the Secretary; and
4	"(9) the grantee will adhere to construction
5	standards, insurance purchase requirements, and
6	other requirements for development in hazard-prone
7	areas described in subsection $(c)(7)$ .
8	"(e) Performance Reviews and Reporting.—
9	"(1) IN GENERAL.—The Secretary shall, on not
10	less frequently than an annual basis, make such re-
11	views and audits as may be necessary or appropriate
12	to determine whether a grantee under this section
13	has—
14	"(A) carried out activities using grant
15	funds in a timely manner;
16	"(B) met the performance targets estab-
17	lished by paragraph (2);
18	"(C) carried out activities using grant
19	funds in accordance with the requirements of
20	this section, the other provisions of this title
21	that apply to assistance under this section, and
22	other applicable laws; and
23	"(D) a continuing capacity to carry out ac-
24	tivities in a timely manner.

1	"(2) Performance targets.—The Secretary
2	shall develop and make publicly available critical
3	performance targets for review, which shall include
4	spending thresholds for each year from the date on
5	which funds are obligated by the Secretary to the
6	grantee until such time all funds have been ex-
7	pended.
8	"(3) Failure to meet targets.—
9	"(A) SUSPENSION.—If a grantee under
10	this section fails to meet 1 or more critical per-
11	formance targets under paragraph (2), the Sec-
12	retary may temporarily suspend the grant.
13	"(B) PERFORMANCE IMPROVEMENT
14	PLAN.—If the Secretary suspends a grant
15	under subparagraph (A), the Secretary shall
16	provide to the grantee a performance improve-
17	ment plan with the specific requirements needed
18	to lift the suspension within a defined time pe-
19	riod.
20	"(C) REPORT.—If a grantee fails to meet
21	the spending thresholds established under para-
22	graph (2), the grantee shall submit to the Sec-
23	retary, the appropriate committees of Congress,
24	and each member of Congress who represents a
25	district or State of the grantee a written report
1	identifying technical capacity, funding, or other
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2	Federal or State impediments affecting the abil-
3	ity of the grantee to meet the spending thresh-
4	olds.
5	"(4) Collection of information and re-
6	PORTING.—
7	"(A) REQUIREMENT TO REPORT.—A
8	grantee under this section shall provide to the
9	Secretary such information as the Secretary
10	may determine necessary for adequate oversight
11	of the grant program under this section.
12	"(B) PUBLIC AVAILABILITY.—Subject to
13	subparagraph (D), the Secretary shall make in-
14	formation submitted under subparagraph (A)
15	available to the public and to the Inspector
16	General for the Department of Housing and
17	Urban Development, disaggregated by activity,
18	income, geography, and all classes of individuals
19	protected under section 109 and the Fair Hous-
20	ing Act.
21	"(C) SUMMARY STATUS REPORTS.—To in-
22	crease transparency and accountability of the
23	grant program under this section the Secretary
24	shall, on not less frequently than an annual
25	basis, post on a public facing dashboard sum-

1	mary status reports for all active grants under
2	this section that includes—
3	"(i) the status of funds by activity;
4	"(ii) the percentages of funds allo-
5	cated and expended to benefit low- and
6	moderate-income communities;
7	"(iii) performance targets, spending
8	thresholds, and accomplishments; and
9	"(iv) other information the Secretary
10	determines to be relevant for transparency.
11	"(D) Considerations.—In carrying out
12	this paragraph, the Secretary—
13	"(i) shall take such actions as may be
14	necessary to ensure that personally identi-
15	fiable information regarding applicants for
16	assistance provided from funds made avail-
17	able under this section is not made publicly
18	available; and
19	"(ii) may make full and unredacted
20	information available to academic institu-
21	tions for the purpose of researching into
22	the equitable distribution of recovery funds
23	and adherence to civil rights protections.
24	"(f) ELIGIBLE ACTIVITIES.—

39

1	"(1) IN GENERAL.—Activities assisted under
2	this section—
3	"(A) may include activities permitted
4	under section 105 or other activities permitted
5	by the Secretary by waiver or alternative re-

by the Secretary by waiver or alternative requirement pursuant to subsection (i); and

"(B) shall be related to disaster relief,
long-term recovery, restoration of housing and
infrastructure, economic revitalization, and
mitigation in the most impacted and distressed
areas resulting from the major disaster for
which the grant was awarded.

"(2) PROHIBITION.—Grant funds under this
section may not be used for costs reimbursable by,
or for which funds have been made available by, the
Federal Emergency Management Agency, or the
United States Army Corps of Engineers.

18 "(3) Administrative costs, technical as-19 sistance and planning.—

20 "(A) IN GENERAL.—The Secretary shall
21 establish in regulation the maximum grant
22 amounts a grantee may use for administrative
23 costs, technical assistance and planning activi24 ties, taking into consideration size of grant,
25 complexity of recovery, and other factors as de-

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termined by the Secretary, but not to exceed 10 percent for administration and 20 percent in total.

4 "(B) AVAILABILITY.—Amounts available
5 for administrative costs for a grant under this
6 section shall be available for eligible administra7 tive costs of the grantee for any grant made
8 under this section, without regard to a par9 ticular disaster.

10 "(4) PROGRAM INCOME.—Notwithstanding any 11 other provision of law, any grantee under this sec-12 tion may retain program income that is realized from grants made by the Secretary under this sec-13 14 tion if the grantee agrees that the grantee will uti-15 lize the program income in accordance with the re-16 quirements for grants under this section, except that 17 the Secretary may—

"(A) by regulation, exclude from consideration as program income any amounts determined to be so small that compliance with this
paragraph creates an unreasonable administrative burden on the grantee; or

23 "(B) permit the grantee to transfer re-24 maining program income to the other grants of

the grantee under this title upon closeout of the
 grant.

3 "(5) PROHIBITION ON USE OF ASSISTANCE FOR
4 EMPLOYMENT RELOCATION ACTIVITIES.—

5 "(A) IN GENERAL.—Grants under this sec-6 tion may not be used to assist directly in the 7 relocation of any industrial or commercial plant, 8 facility, or operation, from one area to another 9 area, if the relocation is likely to result in a sig-10 nificant loss of employment in the labor market 11 area from which the relocation occurs.

12 "(B) APPLICABILITY.—The prohibition 13 under subparagraph (A) shall not apply to a 14 business that was operating in the disaster-de-15 clared labor market area before the incident 16 date of the applicable disaster and has since 17 moved, in whole or in part, from the affected 18 area to another State or to a labor market area 19 within the same State to continue business.

"(6) REQUIREMENTS.—Grants under this section are subject to the requirements of this section,
the other provisions of this title that apply to assistance under this section, and other applicable laws,
unless modified by waivers or alternative requirements in accordance with subsection (i).

1 "(g) Environmental Review.—

2 "(1) ADOPTION.—A recipient of funds provided 3 under this section that uses the funds to supplement 4 Federal assistance provided under section 203, 402, 5 403, 404, 406, 407, 408(c)(4), 428, or 502 of the 6 Robert T. Stafford Disaster Relief and Emergency 7 Assistance Act (42 U.S.C. 5170a, 5170b, 5170c, 8 5172, 5173, 5174(c)(4), 5189f, 5192) may adopt, 9 without review or public comment, any environ-10 mental review, approval, or permit performed by a 11 Federal agency, and that adoption shall satisfy the 12 responsibilities of the recipient with respect to the 13 environmental review, approval, or permit under sec-14 tion 104(g)(1).

15 "(2) Approval of release of funds.—Not-16 with standing section 104(g)(2), the Secretary or a 17 State may, upon receipt of a request for release of 18 funds and certification, immediately approve the re-19 lease of funds for an activity or project to be as-20 sisted under this section if the recipient has adopted 21 an environmental review, approval, or permit under 22 paragraph (1) or the activity or project is categori-23 cally excluded from review under the National Envi-24 ronmental Policy Act of 1969 (42 U.S.C. 4321 et 25 seq.).

1	"(3) UNITS OF GENERAL LOCAL GOVERN-
2	MENT.—The provisions of section $104(g)(4)$ shall
3	apply to assistance under this section that a State
4	distributes to a unit of general local government.
5	"(h) FINANCIAL CONTROLS AND PROCEDURES.—
6	"(1) IN GENERAL.—The Secretary shall develop
7	requirements and procedures to demonstrate that a
8	grantee under this section—
9	"(A) has adequate financial controls and
10	procurement processes;
11	"(B) has adequate procedures to detect
12	and prevent fraud, waste, abuse, and duplica-
13	tion of benefit; and
14	"(C) maintains a comprehensive and pub-
15	licly accessible website.
16	"(2) CERTIFICATION.—Before making a grant
17	under this section, the Secretary shall certify that
18	the grantee has in place proficient processes and
19	procedures to comply with the requirements devel-
20	oped under paragraph (1), as determined by the
21	Secretary.
22	"(3) Compliance before allocation.—The
23	Secretary may permit a State, unit of general local
24	government, or Indian tribe to demonstrate compli-
25	ance with the requirements for adequate financial

controls developed under paragraph (1) before a dis aster occurs and before receiving an allocation for a
 grant under this section.
 "(4) DUPLICATION OF BENEFITS.—
 "(A) IN GENERAL.—Funds made available
 under this section shall be used in accordance
 with section 312 of the Robert T. Stafford Dis-

aster Relief and Emergency Assistance Act (42
U.S.C. 5155), as amended by section 1210 of
the Disaster Recovery Reform Act of 2018 (division D of Public Law 115–254), and such
rules as may be prescribed under such section
312.

14 "(B) PENALTIES.—In any case in which
15 the use of grant funds under this section results
16 in a prohibited duplication of benefits, the
17 grantee shall—

18 "(i) apply an amount equal to the
19 identified duplication to any allowable costs
20 of the award consistent with actual, imme21 diate cash requirement;

22 "(ii) remit any excess amounts to the
23 Secretary to be credited to the obligated,
24 undisbursed balance of the grant con-

1	sistent with requirements on Federal pay-
2	ments applicable to such grantee; and
3	"(iii) if excess amounts under clause
4	(ii) are identified after the period of per-
5	formance or after the closeout of the
6	award, remit such amounts to the Sec-
7	retary to be credited to the Fund.
8	"(C) FAILURE TO COMPLY.—Any grantee
9	provided funds under this section or from prior
10	Appropriations Acts under the heading 'Com-
11	munity Development Fund' for purposes related
12	to major disasters that fails to comply with sec-
13	tion 312 of the Robert T. Stafford Disaster Re-
14	lief and Emergency Assistance Act (42 U.S.C.
15	5155) or fails to satisfy penalties to resolve a
16	duplication of benefits shall be subject to rem-
17	edies for noncompliance under section 111, un-
18	less the Secretary publishes a determination in
19	the Federal Register that it is not in the best
20	interest of the Federal Government to pursue
21	remedial actions.
22	"(i) WAIVERS.—

23 "(1) IN GENERAL.—In administering grants
24 under this section, the Secretary may waive, or
25 specify alternative requirements for, any provision of

1 any statute or regulation that the Secretary admin-2 isters in connection with the obligation by the Sec-3 retary or the use by the grantee of those funds (ex-4 cept for requirements related to fair housing, non-5 discrimination, labor standards, the environment, 6 and the requirements of this section that do not ex-7 pressly authorize modifications by waiver or alter-8 native requirement), if the Secretary makes a public 9 finding that good cause exists for the waiver or al-10 ternative requirement and the waiver or alternative 11 requirement would not be inconsistent with the find-12 ings under subtitle D of title XVII of the Service-13 member Quality of Life Improvement and National 14 Defense Authorization Act for Fiscal Year 2025.

15 "(2) EFFECTIVE DATE.—A waiver or alter-16 native requirement described in paragraph (1) shall 17 not take effect before the date that is 5 days after 18 the date of publication of the waiver or alternative 19 requirement on the website of the Department of 20 Housing and Urban Development or the effective 21 date for any regulation published in the Federal 22 Register.

23 "(3) PUBLIC NOTIFICATION.—The Secretary
24 shall notify the public of all waivers or alternative
25 requirements described in paragraph (1) in accord-

1	ance with the requirements of section $7(q)(3)$ of the
2	Department of Housing and Urban Development
3	Act (42 U.S.C. 3535(q)(3)).
4	"(j) Unused Amounts.—
5	"(1) Deadline to use amounts.—A grantee
6	under this section shall use an amount equal to the
7	grant within 6 years beginning on the date on which
8	the Secretary obligates the amounts to the grantee,
9	as such period may be extended under paragraph
10	(4).
11	"(2) RECAPTURE.—The Secretary shall recap-
12	ture and credit to the Fund any amount that is un-
13	used by a grantee under this section upon the earlier
14	of—
15	"(A) the date on which the grantee notifies
16	the Secretary that the grantee has completed all
17	activities identified in the disaster grantee's
18	plan under subsection (c); or
19	"(B) the expiration of the 6-year period
20	described in paragraph (1), as such period may

21 be extended under paragraph (4).

22 "(3) RETENTION OF FUNDS.—Notwithstanding
23 paragraph (1), the Secretary may allow a grantee
24 under this section to retain—

1 "(A) amounts needed to close out grants; 2 and

3 "(B) up to 10 percent of the remaining
4 funds to support maintenance of the minimal
5 capacity to launch a new program in the event
6 of a future disaster and to support pre-disaster
7 long-term recovery and mitigation planning.

8 "(4) EXTENSION OF PERIOD FOR USE OF 9 FUNDS.—The Secretary may extend the 6-year pe-10 riod described in paragraph (1) by not more than 4 11 years, or not more than 6 years for mitigation activi-12 ties, if—

13 "(A) the grantee submits to the Sec14 retary—

15 "(i) written documentation of the exi16 gent circumstances impacting the ability of
17 the grantee to expend funds that could not
18 be anticipated; or

"(ii) a justification that such request
is necessary due to the nature and complexity of the program and projects; and
"(B) the Secretary submits a written justification for the extension to the Committees
on Appropriations of Senate and the House of

Representatives that specifies the period of that
 extension.".

## 3 SEC. 17\_\_\_\_. REGULATIONS.

4 (a) **PROPOSED RULES.**—Following consultation with 5 the Federal Emergency Management Agency, the Small Business Administration, and other Federal agencies, not 6 7 later than 6 months after the date of enactment of this 8 Act, the Secretary shall issue proposed rules to carry out 9 this Act and the amendments made by this Act and shall provide a 90-day period for submission of public comments 10 on those proposed rules. 11

(b) FINAL RULES.—Not later than 1 year after the
date of enactment of this Act, the Secretary shall issue
final regulations to carry out section 123 of the Housing
and Community Development Act of 1974.

## 16 SEC. 17\_\_\_\_. COORDINATION OF DISASTER RECOVERY AS 17 SISTANCE, BENEFITS, AND DATA WITH 18 OTHER FEDERAL AGENCIES.

(a) COORDINATION OF DISASTER RECOVERY ASSIST20 ANCE.—In order to ensure a comprehensive approach to
21 Federal disaster relief, long-term recovery, restoration of
22 housing and infrastructure, economic revitalization, and
23 mitigation in the most impacted and distressed areas re24 sulting from a catastrophic major disaster, the Secretary
25 shall coordinate with the Federal Emergency Management

Agency, to the greatest extent practicable, in the imple-1 mentation of assistance authorized under section 123 of 2 3 the Housing and Community Development Act of 1974. 4 (b) DATA SHARING AGREEMENTS.—To support the 5 coordination of data to prevent duplication of benefits with other Federal disaster recovery programs while also expe-6 7 diting recovery and reducing burden on disaster survivors, 8 the Department shall establish data sharing agreements 9 that safeguard privacy with relevant Federal agencies to 10 ensure disaster benefits effectively and efficiently reach intended beneficiaries, while using effective means of pre-11 12 venting harm to people and property.

13 (c) DATA TRANSFER FROM FEMA AND SBA TO HUD.—As permitted and deemed necessary for efficient 14 15 program execution, and consistent with a computer matching agreement entered into under subsection (f)(1), the 16 17 Administrator of the Federal Emergency Management Agency and the Administrator of the Small Business Ad-18 ministration shall provide data on disaster applicants to 19 20 the Department, including, when necessary, personally 21 identifiable information, disaster recovery needs, and re-22 sources determined eligible for, and amounts expended, to 23 the Secretary for all major disasters declared by the Presi-24 dent pursuant to section 401 of Robert T. Stafford Dis-25 aster Relief and Emergency Assistance Act (42 U.S.C.

5170) for the purpose of providing additional assistance 1 2 to disaster survivors and prevent duplication of benefits. 3 (d) DATA TRANSFERS FROM HUD TO HUD GRANT-4 EES.—The Secretary is authorized to provide to grantees 5 under section 123 of the Housing and Community Devel-6 opment Act of 1974 offices of the Department, technical 7 assistance providers, and lenders information that in the 8 determination of the Secretary is reasonably available and 9 appropriate to inform the provision of assistance after a 10 major disaster, including information provided to the Secretary by the Administrator of the Federal Emergency 11 Management Agency, the Administrator of the Small 12 Business Administration, or other Federal agencies. 13

14 (e) DATA TRANSFERS FROM HUD GRANTEES TO15 HUD, FEMA, AND SBA.—

16 (1) REPORTING.—Grantees under section 123
17 of the Housing and Community Development Act of
18 1974 shall report information requested by the Sec19 retary on households, businesses, and other entities
20 assisted and the type of assistance provided.

(2) SHARING INFORMATION.—The Secretary
shall share information collected under paragraph
(1) with the Federal Emergency Management Agency, the Small Business Administration, and other
Federal agencies to support the planning and deliv-

ery of disaster recovery and mitigation assistance
 and other related purposes.

3 (f) PRIVACY PROTECTION.—The Secretary may make
4 and receive data transfers authorized under this section,
5 including the use and retention of that data for computer
6 matching programs, to inform the provision of assistance,
7 assess disaster recovery needs, and prevent the duplication
8 of benefits and other waste, fraud, and abuse, provided
9 that—

10 (1) the Secretary enters an information sharing 11 agreement or a computer matching agreement, when 12 required by section 522a of title 5, United States 13 Code (commonly known as the "Privacy Act of 14 1974"), with the Administrator of the Federal 15 Emergency Management Agency, the Administrator of the Small Business Administration, or other Fed-16 17 eral agencies covering the transfer of data;

18 (2) the Secretary publishes intent to disclose19 data in the Federal Register;

(3) notwithstanding paragraphs (1) and (2),
section 552a of title 5, United States Code, or any
other law, the Secretary is authorized to share data
with an entity identified in subsection (d), and the
entity is authorized to use the data as described in
this section, if the Secretary enters a data sharing

agreement with the entity before sharing or receiving 1 2 any information under transfers authorized by this 3 section, which data sharing agreement shall— 4 (A) in the determination of the Secretary, 5 include measures adequate to safeguard the privacy and personally identifiable information of 6 7 individuals; and 8 (B) include provisions that describe how 9 the personally identifiable information of an in-10 dividual will be adequately safeguarded and 11 protected, which requires consultation with the Secretary and the head of each Federal agency 12 13 the data of which is being shared subject to the 14 agreement.

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