

1 “(A) *IN GENERAL.*—A waiver approved
2 under this subsection shall remain in effect for
3 the duration of the period of performance of fis-
4 cal year 2027 through 2030 grants, unless the re-
5 cipient notifies the Secretary in writing that the
6 recipient wishes to revoke the waiver.

7 “(B) *NOTIFICATION.*—If a recipient intends
8 to revoke a waiver under subparagraph (A), the
9 recipient shall—

10 “(i) solicit input from subrecipients re-
11 garding the revocation before submitting the
12 revocation; and

13 “(ii) provide subrecipients with a sum-
14 mary of the input and the justification for
15 the revocation in its submittal prior to noti-
16 fying the Secretary in writing.

17 “(C) *PUBLICATION.*—The Secretary shall
18 publish any revocation of a waiver under sub-
19 paragraph (A) and the justification of the recipi-
20 ent for the waiver on the website of the Depart-
21 ment of Housing and Urban Development.”.

22 **SEC. 504. REFORMING DISASTER RECOVERY ACT.**

23 (a) *DEFINITIONS.*—In this section:

1 (1) *DEPARTMENT.*—The term “Department”
2 means the Department of Housing and Urban Devel-
3 opment.

4 (2) *FUND.*—The term “Fund” means the Long-
5 Term Disaster Recovery Fund established under sub-
6 section (c).

7 (3) *SECRETARY.*—The term “Secretary” means
8 the Secretary of Housing and Urban Development.

9 (b) *DUTIES OF THE DEPARTMENT OF HOUSING AND*
10 *URBAN DEVELOPMENT.*—

11 (1) *IN GENERAL.*—The offices and officers of the
12 Department shall be responsible for—

13 (A) leading and coordinating the disaster-
14 related responsibilities of the Department under
15 the National Response Framework, the National
16 Disaster Recovery Framework, and the National
17 Mitigation Framework;

18 (B) coordinating and administering pro-
19 grams, policies, and activities of the Department
20 related to disaster relief, long-term recovery, re-
21 siliency, and mitigation, including disaster re-
22 covery assistance under title I of the Housing
23 and Community Development Act of 1974 (42
24 U.S.C. 5301 et seq.);

1 (C) supporting disaster-impacted commu-
2 nities as those communities specifically assess,
3 plan for, and address the housing stock and
4 housing needs in the transition from emergency
5 shelters and interim housing to permanent hous-
6 ing of those displaced, especially among vulner-
7 able populations and extremely low-, low-, and
8 moderate-income households;

9 (D) collaborating with the Federal Emer-
10 gency Management Agency and the Small Busi-
11 ness Administration and across the Department
12 to align disaster-related regulations and policies,
13 including incorporation of consensus-based codes
14 and standards and insurance purchase require-
15 ments, and ensuring coordination and reducing
16 duplication among other Federal disaster recov-
17 ery programs;

18 (E) promoting best practices in mitigation
19 and resilient land use planning;

20 (F) coordinating technical assistance, in-
21 cluding mitigation, resiliency, and recovery
22 training and information on all relevant legal
23 and regulatory requirements, to entities that re-
24 ceive disaster recovery assistance under title I of
25 the Housing and Community Development Act of

1 1974 (42 U.S.C. 5301 et seq.) that demonstrate
2 capacity constraints; and

3 (G) supporting State, Tribal, and local gov-
4 ernments in developing, coordinating, and main-
5 taining their capacity for disaster resilience and
6 recovery and developing pre-disaster recovery
7 and hazard mitigation plans, in coordination
8 with the Federal Emergency Management Agen-
9 cy and other Federal agencies.

10 (2) *ESTABLISHMENT OF THE OFFICE OF DIS-*
11 *ASTER MANAGEMENT AND RESILIENCY.*—Section 4 of
12 the Department of Housing and Urban Development
13 Act (42 U.S.C. 3533) is amended by adding at the
14 end the following:

15 “(i) *OFFICE OF DISASTER MANAGEMENT AND RESIL-*
16 *IENCY.*—

17 “(1) *ESTABLISHMENT.*—There is established the
18 Office of Disaster Management and Resiliency.

19 “(2) *DUTIES.*—The Office of Disaster Manage-
20 ment and Resiliency shall—

21 “(A) be responsible for oversight and coordi-
22 nation of all departmental disaster preparedness
23 and response responsibilities; and

24 “(B) coordinate with the Federal Emer-
25 gency Management Agency, the Small Business

1 *Administration, and other offices of the Depart-*
2 *ment in supporting recovery and resilience ac-*
3 *tivities to provide a comprehensive approach in*
4 *working with communities.”.*

5 *(c) LONG-TERM DISASTER RECOVERY FUND.—*

6 (1) *ESTABLISHMENT.—There is established in*
7 *the Treasury of the United States an account to be*
8 *known as the “Long-Term Disaster Recovery Fund”.*

9 (2) *DEPOSITS, TRANSFERS, AND CREDIT.—*

10 (A) *IN GENERAL.—The Fund shall consist*
11 *of amounts appropriated, transferred, and cred-*
12 *ited to the Fund.*

13 (B) *TRANSFERS.—The following may be*
14 *transferred to the Fund:*

15 (i) *Amounts made available through*
16 *section 106(c)(4) of the Housing and Com-*
17 *munity Development Act of 1974 (42 U.S.C.*
18 *5306(c)(4)) as a result of actions taken*
19 *under section 104(e), 111, or 124(j) of such*
20 *Act.*

21 (ii) *Any unobligated balances available*
22 *until expended remaining or subsequently*
23 *recaptured from amounts appropriated for*
24 *any disaster and related purposes under the*
25 *heading “Community Development Fund”*

1 *in any Act prior to the establishment of the*
2 *Fund.*

3 (C) *USE OF TRANSFERRED AMOUNTS.—*
4 *Amounts transferred to the Fund shall be used*
5 *for the eligible uses described in paragraph (3).*

6 (3) *ELIGIBLE USES OF FUND.—*

7 (A) *IN GENERAL.—Amounts in the Fund*
8 *shall be available—*

9 *(i) to provide assistance in the form of*
10 *grants under section 124 of the Housing*
11 *and Community Development Act of 1974,*
12 *as added by subsection (d); and*

13 *(ii) for activities of the Department*
14 *that support the provision of such assist-*
15 *ance, including necessary salaries and ex-*
16 *penses, information technology, and capac-*
17 *ity building, technical assistance, and pre-*
18 *disaster readiness.*

19 (B) *SET-ASIDE.—Of each amount appro-*
20 *priated for or transferred to the Fund, 3 percent*
21 *shall be made available for activities described in*
22 *subparagraph (A)(ii), which shall be in addition*
23 *to other amounts made available for those activi-*
24 *ties.*

1 (C) *TRANSFER OF FUNDS.*—*With respect to*
2 *amounts made available for use in accordance*
3 *with subparagraph (B)—*

4 (i) *amounts may be transferred to the*
5 *account under the heading for “Program*
6 *Offices—Salaries and Expenses—Communi-*
7 *ty Planning and Development”, or any*
8 *successor account, for the Department to*
9 *carry out activities described in subpara-*
10 *graph(B); and*

11 (ii) *amounts may be used for the ac-*
12 *tivities described in subparagraph (A)(ii)*
13 *and for the administrative costs of admin-*
14 *istering any funds appropriated to the De-*
15 *partment under the heading “Community*
16 *Planning and Development—Community*
17 *Development Fund” for any major disaster*
18 *declared under section 401 of the Robert T.*
19 *Stafford Disaster Relief and Emergency As-*
20 *istance Act (42 U.S.C. 5170) in any Act*
21 *before the establishment of the Fund.*

22 (D) *INSPECTOR GENERAL.*—

23 (i) *IN GENERAL.*—*Not less than one-*
24 *tenth of 1 percent of each series of awards*
25 *the Secretary makes from the Fund shall be*

1 *transferred to the account under the heading*
2 *“Office of Inspector General” for the De-*
3 *partment of Housing and Urban Develop-*
4 *ment to support audit activities and to in-*
5 *vestigate grantee noncompliance with pro-*
6 *gram requirements and waste, fraud, and*
7 *abuse as a result of appropriations made*
8 *available through the Fund.*

9 (ii) *AVAILABILITY.—Funding under*
10 *clause (i) shall not be made available to the*
11 *Office of Inspector General until 90 days*
12 *after the date on which the grantee plan or*
13 *supplemental plan for the grantee is ap-*
14 *proved by the Secretary under subsection (c)*
15 *or (f)(3)(C) of section 124 of the Housing*
16 *and Community Development Act of 1974,*
17 *as added by subsection (d), is approved by*
18 *the Secretary.*

19 (4) *INTERCHANGEABILITY OF PRIOR ADMINIS-*
20 *TRATIVE AMOUNTS.—Any amounts appropriated in*
21 *any Act prior to the establishment of the Fund and*
22 *transferred to the account under the heading “Pro-*
23 *gram Offices—Salaries and Expenses—Community*
24 *Planning and Development”, or any predecessor ac-*
25 *count, for the Department for the costs of admin-*

1 *istering funds appropriated to the Department under*
2 *the heading “Community Planning and Develop-*
3 *ment—Community Development Fund” for any*
4 *major disaster declared under section 401 of the Rob-*
5 *ert T. Stafford Disaster Relief and Emergency Assist-*
6 *ance Act (42 U.S.C. 5170) shall be available for the*
7 *costs of administering any such funds provided by*
8 *any prior or future Act, notwithstanding the purposes*
9 *for which those amounts were appropriated and in*
10 *addition to any amount provided for the same pur-*
11 *poses in other appropriations Acts.*

12 (5) *AVAILABILITY OF AMOUNTS.—Amounts ap-*
13 *propriated, transferred, and credited to the Fund*
14 *shall remain available until expended.*

15 (6) *FORMULA ALLOCATION.—Use of amounts in*
16 *the Fund for grants shall be made by formula alloca-*
17 *tion in accordance with the requirements of section*
18 *124(a) of the Housing and Community Development*
19 *Act of 1974, as added by subsection (d).*

20 (d) *ESTABLISHMENT OF CDBG DISASTER RECOVERY*
21 *PROGRAM.—Title I of the Housing and Community Devel-*
22 *opment Act of 1974 (42 U.S.C. 5301 et seq.), as amended*
23 *by this Act, is amended—*

24 (1) *in section 102(a) (42 U.S.C. 5302(a))—*

25 (A) *in paragraph (20)—*

1 (i) by redesignating subparagraph (B)
2 as subparagraph (C);

3 (ii) in subparagraph (C), as so redesign-
4 ated, by inserting “or (B)” after “subpara-
5 graph (A)”; and

6 (iii) by inserting after subparagraph
7 (A) the following:

8 “(B) The term ‘persons of extremely low in-
9 come’ means families and individuals whose in-
10 come levels do not exceed household income levels
11 determined by the Secretary under section
12 3(b)(2) of the United States Housing Act of 1937
13 (42 U.S.C. 1437a(b)(2)(C)), except that the Sec-
14 retary may provide alternative definitions for
15 the Commonwealth of Puerto Rico, Guam, the
16 Commonwealth of the Northern Mariana Islands,
17 the United States Virgin Islands, and American
18 Samoa.”; and

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

20 “(25) The term ‘major disaster’ has the meaning
21 given the term in section 102 of the Robert T. Staf-
22 ford Disaster Relief and Emergency Assistance Act
23 (42 U.S.C. 5122).”;

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

25 (A) in subparagraph (A)—

1 (i) by striking “declared by the Presi-
2 dent under the Robert T. Stafford Disaster
3 Relief and Emergency Assistance Act”;

4 (ii) by inserting “States for use in
5 nonentitlement areas and to” before “metro-
6 politan cities”; and

7 (iii) by inserting “major” after “af-
8 fected by the”;

9 (B) in subparagraph (C)—

10 (i) by striking “metropolitan city or”
11 and inserting “State, metropolitan city,
12 or”;

13 (ii) by striking “city or county” and
14 inserting “State, city, or county”; and

15 (iii) by inserting “major” before “dis-
16 aster”;

17 (C) in subparagraph (D), by striking “met-
18 ropolitan cities and” and inserting “States, met-
19 ropolitan cities, and”;

20 (D) in subparagraph (F)—

21 (i) by striking “metropolitan city or”
22 and inserting “State, metropolitan city,
23 or”; and

24 (ii) by inserting “major” before “dis-
25 aster”; and

1 (E) in subparagraph (G), by striking “metropolitan city or” and inserting “State, metropolitan city, or”;

2
3
4 (3) in section 122 (42 U.S.C. 5321), by striking
5 “disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act” and inserting “major disaster”; and

6
7
8 (4) by adding at the end the following:

9 **“SEC. 124. COMMUNITY DEVELOPMENT BLOCK GRANT DIS-**
10 **ASTER RECOVERY PROGRAM.**

11 “(a) AUTHORIZATION, FORMULA, AND ALLOCATION.—

12 “(1) AUTHORIZATION.—The Secretary is authorized to make community development block grant disaster recovery grants from the Long-Term Disaster Recovery Fund established under section 504(c) of the 21st Century ROAD to Housing Act (in this section referred to as the ‘Fund’) for necessary expenses for activities authorized under subsection (f)(1) 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 a catastrophic major disaster.

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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 the
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1 *concentration of damage, as determined by the Sec-*
2 *retary, to support the efficient and effective adminis-*
3 *tration of funds.*

4 “(3) *SECTION 106 ALLOCATIONS.*—*Grants under*
5 *this section shall not be considered relevant to the for-*
6 *mula allocations made pursuant to section 106.*

7 “(4) *FEDERAL REGISTER NOTICE.*—

8 “(A) *IN GENERAL.*—*Not later than 30 days*
9 *after the date of enactment of this section, the*
10 *Secretary shall issue a notice in the Federal Reg-*
11 *ister containing the latest formula allocation*
12 *methodologies used to determine the total esti-*
13 *mate of unmet needs related to housing, economic*
14 *revitalization, and infrastructure in the most*
15 *impacted and distressed areas resulting from a*
16 *catastrophic major disaster.*

17 “(B) *PUBLIC COMMENT.*—*If the Secretary*
18 *has not already requested public comment on the*
19 *formula described in the notice required by sub-*
20 *paragraph (A), the Secretary shall solicit public*
21 *comments on—*

22 “(i) *the methodologies described in sub-*
23 *paragraph (A) and seek alternative methods*
24 *for formula allocation within a similar*
25 *total amount of funding;*

1 “(ii) the impact of formula methodolo-
2 gies on rural areas and Tribal areas;

3 “(iii) adjustments to improve targeting
4 to the most serious needs;

5 “(iv) objective criteria for grantee ca-
6 pacity and concentration of damage to in-
7 form grantee determinations and minimum
8 allocation thresholds; and

9 “(v) research and data to inform an
10 additional amount to be provided for miti-
11 gation depending on type of disaster, which
12 shall be up to 18 percent of the total esti-
13 mate of unmet needs.

14 “(5) REGULATIONS.—

15 “(A) IN GENERAL.—The Secretary shall, by
16 regulation, establish a formula to allocate assist-
17 ance from the Fund to the most impacted and
18 distressed areas resulting from a catastrophic
19 major disaster.

20 “(B) FORMULA REQUIREMENTS.—The for-
21 mula established under subparagraph (A)
22 shall—

23 “(i) set forth criteria to determine that
24 a major disaster is catastrophic, which cri-
25 teria shall consider the presence of a high

1 *concentration of damaged housing or busi-*
2 *nesses that individual, State, Tribal, and*
3 *local resources could not reasonably be ex-*
4 *pected to address without additional Fed-*
5 *eral assistance or other nationally encom-*
6 *passing data that the Secretary determines*
7 *are adequate to assess relative impact and*
8 *distress across geographic areas;*

9 *“(ii) include a methodology for identi-*
10 *fying most impacted and distressed areas,*
11 *which shall consider unmet serious needs re-*
12 *lated to housing, economic revitalization,*
13 *and infrastructure;*

14 *“(iii) include an allocation calculation*
15 *that considers the unmet serious needs re-*
16 *sulting from the catastrophic major disaster*
17 *and an additional amount up to 18 percent*
18 *for activities to reduce risks of loss resulting*
19 *from other natural disasters in the most im-*
20 *acted and distressed area, primarily for*
21 *the benefit of low- and moderate-income*
22 *persons, with particular focus on activities*
23 *that reduce repetitive loss of property and*
24 *critical infrastructure; and*

1 “(iv) establish objective criteria for
2 periodic review and updates to the formula
3 to reflect changes in available data.

4 “(C) *MINIMUM ALLOCATION THRESHOLD.*—
5 The Secretary shall, by regulation, establish a
6 minimum allocation threshold.

7 “(D) *INTERIM ALLOCATION.*—Until such
8 time that the Secretary issues final regulations
9 under this paragraph, the Secretary shall—

10 “(i) allocate assistance from the Fund
11 using the formula allocation methodology
12 published in accordance with paragraph
13 (4); and

14 “(ii) include an additional amount for
15 mitigation of up to 18 percent of the total
16 estimate of unmet need.

17 “(6) *ALLOCATION OF FUNDS.*—

18 “(A) *IN GENERAL.*—The Secretary shall—

19 “(i) except as provided in clause (ii),
20 not later than 90 days after the President
21 declares a major disaster, use best available
22 data to determine whether the major dis-
23 aster is catastrophic and qualifies for assist-
24 ance under the formula described in para-

1 *graph (4) or (5), unless data is insufficient*
2 *to make this determination; and*

3 *“(ii) if the best available data is insuf-*
4 *ficient to make the determination required*
5 *under clause (i) within the 90-day period*
6 *described in that clause, determine whether*
7 *the major disaster qualifies when sufficient*
8 *data becomes available, but in no case shall*
9 *the Secretary make the determination later*
10 *than 120 days after the declaration of the*
11 *major disaster.*

12 *“(B) ANNOUNCEMENT OF ALLOCATION.—If*
13 *amounts are available in the Fund at the time*
14 *the Secretary determines that the major disaster*
15 *is catastrophic and qualifies for assistance under*
16 *the formula described in paragraph (4) or (5),*
17 *the Secretary shall immediately announce an al-*
18 *location for a grant under this section.*

19 *“(C) ADDITIONAL AMOUNTS.—If additional*
20 *amounts are appropriated to the Fund after*
21 *amounts are allocated under subparagraph (B),*
22 *the Secretary shall announce an allocation or*
23 *additional allocation (if a prior allocation under*
24 *subparagraph (B) was less than the formula cal-*

1 *ulation) within 15 days of any such appropri-*
2 *ation.*

3 “(7) *PRELIMINARY FUNDING.*—

4 “(A) *IN GENERAL.*—*To speed recovery, the*
5 *Secretary is authorized to allocate and award*
6 *preliminary grants from the Fund before making*
7 *a determination under paragraph (6)(A) if the*
8 *Secretary projects, based on a preliminary as-*
9 *essment of impact and distress, that a major*
10 *disaster is catastrophic and would likely qualify*
11 *for funding under the formula described in para-*
12 *graph (4) or (5).*

13 “(B) *AMOUNT.*—

14 “(i) *MAXIMUM.*—*The Secretary may*
15 *award preliminary funding under subpara-*
16 *graph (A) in an amount that is not more*
17 *than \$5,000,000.*

18 “(ii) *SLIDING SCALE.*—*The Secretary*
19 *shall, by regulation, establish a sliding scale*
20 *for preliminary funding awarded under*
21 *subparagraph (A) based on the size of the*
22 *preliminary assessment of impact and dis-*
23 *tress.*

1 “(C) *USE OF FUNDS.*—*The uses of prelimi-*
2 *nary funding awarded under subparagraph (A)*
3 *shall be limited to eligible activities that—*

4 “(i) *in the determination of the Sec-*
5 *retary, will support faster recovery, improve*
6 *the ability of the grantee to assess unmet re-*
7 *covery needs, plan for the prevention of im-*
8 *proper payments, and reduce fraud, waste,*
9 *and abuse; and*

10 “(ii) *may include evaluating the in-*
11 *terim housing, permanent housing, and*
12 *supportive service needs of the disaster im-*
13 *pacted community, with special attention to*
14 *vulnerable populations, such as homeless*
15 *and low- to moderate-income households, to*
16 *inform the grantee action plan required*
17 *under subsection (c).*

18 “(D) *CONSIDERATION OF FUNDING.*—*Pre-*
19 *liminary funding awarded under subparagraph*
20 *(A)—*

21 “(i) *is not subject to the certification*
22 *requirements of subsection (h)(2); and*

23 “(ii) *shall not be considered when cal-*
24 *culating the amount of the grant used for*
25 *administrative costs, technical assistance,*

1 *and planning activities that are subject to*
2 *the requirements under subsection (f)(3).*

3 “(E) *WAIVER.*—*To expedite the use of pre-*
4 *liminary funding for activities described in this*
5 *paragraph, the Secretary may waive or specify*
6 *alternative requirements to the requirements of*
7 *this section in accordance with subsection (i).*

8 “(F) *AMENDED AWARD.*—

9 “(i) *IN GENERAL.*—*An award for pre-*
10 *liminary funding under subparagraph (A)*
11 *may be amended to add any subsequent*
12 *amount awarded because of a determination*
13 *by the Secretary that a major disaster is*
14 *catastrophic and qualifies for assistance*
15 *under the formula.*

16 “(ii) *APPLICABILITY.*—*Notwith-*
17 *standing subparagraph (D), amounts pro-*
18 *vided by an amendment under clause (i)*
19 *are subject to the requirements under sub-*
20 *sections (f)(1) and (h)(1) and other require-*
21 *ments on grant funds under this section.*

22 “(G) *TECHNICAL ASSISTANCE.*—*Concurrent*
23 *with the allocation of any preliminary funding*
24 *awarded under this paragraph, the Secretary*

1 *shall assign or provide technical assistance to the*
2 *recipient of the grant.*

3 “(b) *INTERCHANGEABILITY.*—

4 “(1) *IN GENERAL.*—*The Secretary is authorized*
5 *to approve the use of grants under this section to be*
6 *used interchangeably and without limitation for the*
7 *same activities in the most impacted and distressed*
8 *areas resulting from a declaration of another cata-*
9 *strophic major disaster that qualifies for assistance*
10 *under the formula established under paragraph (4) or*
11 *(5) of subsection (a) or a major disaster for which the*
12 *Secretary allocated funds made available under the*
13 *heading ‘Community Development Fund’ in any Act*
14 *prior to the establishment of the Fund.*

15 “(2) *REQUIREMENTS.*—*The Secretary shall es-*
16 *tablish requirements to expedite the use of grants*
17 *under this section for the purpose described in para-*
18 *graph (1).*

19 “(3) *EMERGENCY DESIGNATION.*—*Amounts*
20 *repurposed pursuant to this subsection that were pre-*
21 *viously designated by Congress as an emergency re-*
22 *quirement pursuant to the Balanced Budget and*
23 *Emergency Deficit Control Act of 1985 or a concur-*
24 *rent resolution on the budget are designated by the*
25 *Congress as being for an emergency requirement pur-*

1 *suant to section 4001(a)(1) of S. Con. Res. 14 (117th*
2 *Congress), the concurrent resolution on the budget for*
3 *fiscal year 2022, and to legislation establishing fiscal*
4 *year 2026 budget enforcement in the House of Rep-*
5 *resentatives.*

6 “(c) *GRANTEE PLANS.*—

7 “(1) *REQUIREMENT.*—*Not later than 90 days*
8 *after the date on which the Secretary announces a*
9 *grant allocation under this section, unless an exten-*
10 *sion is granted by the Secretary, the grantee shall*
11 *submit to the Secretary a plan for approval describ-*
12 *ing—*

13 “(A) *the activities the grantee will carry out*
14 *with the grant under this section;*

15 “(B) *the criteria of the grantee for award-*
16 *ing assistance and selecting activities;*

17 “(C) *how the use of the grant under this sec-*
18 *tion will address disaster relief, long-term recov-*
19 *ery, restoration of housing and infrastructure,*
20 *economic revitalization, and mitigation in the*
21 *most impacted and distressed areas;*

22 “(D) *how the use of the grant funds for*
23 *mitigation is consistent with hazard mitigation*
24 *plans submitted to the Federal Emergency Man-*
25 *agement Agency under section 322 of the Robert*

1 *T. Stafford Disaster Relief and Emergency As-*
2 *sistance Act (42 U.S.C. 5165);*

3 “(E) *the estimated amount proposed to be*
4 *used for activities that will benefit persons of low*
5 *and moderate income;*

6 “(F) *how the use of grant funds will repair*
7 *and replace existing housing stock for vulnerable*
8 *populations, including low- to moderate-income*
9 *households;*

10 “(G) *how the grantee will address the prior-*
11 *ities described in paragraph (5);*

12 “(H) *how uses of funds are proportional to*
13 *unmet needs, as required under paragraph (6);*

14 “(I) *for State grantees that plan to dis-*
15 *tribute grant amounts to units of general local*
16 *government, a description of the method of dis-*
17 *tribution; and*

18 “(J) *such other information as may be de-*
19 *termined by the Secretary in regulation.*

20 “(2) *PUBLIC CONSULTATION.—To permit public*
21 *examination and appraisal of the plan described in*
22 *paragraph (1), to enhance the public accountability of*
23 *grantee, and to facilitate coordination of activities*
24 *with different levels of government, when developing*

1 *the plan or substantial amendments proposed to the*
2 *plan required under paragraph (1), a grantee shall—*

3 “(A) *publish the plan before adoption;*

4 “(B) *provide citizens, affected units of gen-*
5 *eral local government, and other interested par-*
6 *ties with reasonable notice of, and opportunity to*
7 *comment on, the plan, with a public comment*
8 *period of not less than 14 days;*

9 “(C) *consider comments received before sub-*
10 *mission to the Secretary;*

11 “(D) *follow a citizen participation plan for*
12 *disaster assistance adopted by the grantee that,*
13 *at a minimum, provides for participation of*
14 *residents of the most impacted and distressed*
15 *area affected by the major disaster that resulted*
16 *in the grant under this section and other consid-*
17 *erations established by the Secretary; and*

18 “(E) *undertake any consultation with inter-*
19 *ested parties as may be determined by the Sec-*
20 *retary in regulation.*

21 “(3) *APPROVAL.—The Secretary shall—*

22 “(A) *by regulation, specify criteria for the*
23 *approval, partial approval, or disapproval of a*
24 *plan submitted under paragraph (1), including*
25 *approval of substantial amendments to the plan;*

1 “(B) review a plan submitted under para-
2 graph (1) upon receipt of the plan;

3 “(C) allow a grantee to revise and resubmit
4 a plan or substantial amendment to a plan
5 under paragraph (1) that the Secretary dis-
6 approves;

7 “(D) by regulation, specify criteria for
8 when the grantee shall be required to provide the
9 required revisions to a disapproved plan or sub-
10 stantial amendment under paragraph (1) for
11 public comment prior to resubmission of the plan
12 or substantial amendment to the Secretary; and

13 “(E) approve, partially approve, or dis-
14 approve a plan or substantial amendment under
15 paragraph (1) not later than 60 days after the
16 date on which the plan or substantial amend-
17 ment is received by the Secretary.

18 “(4) *LOW- AND MODERATE-INCOME OVERALL*
19 *BENEFIT.*—

20 “(A) *USE OF FUNDS.*—Not less than 70 per-
21 cent of a grant made under this section shall be
22 used for activities that benefit persons of low and
23 moderate income unless the Secretary—

24 “(i) specifically finds that—

1 “(I) *there is compelling need to*
2 *reduce the percentage for the grant;*
3 *and*

4 “(II) *the housing needs of low-*
5 *and moderate-income persons have*
6 *been addressed; and*

7 “(ii) *issues a waiver and alternative*
8 *requirement specific to the grant pursuant*
9 *to subsection (i) to lower the percentage.*

10 “(B) *REGULATIONS.—The Secretary shall,*
11 *by regulation, establish protocols that reflect the*
12 *required use of funds under subparagraph (A),*
13 *including persons with extremely and very low*
14 *incomes.*

15 “(5) *PRIORITIZATION.—The grantee shall*
16 *prioritize activities that—*

17 “(A) *assist persons with extremely low-,*
18 *low-, and moderate-incomes and other vulnerable*
19 *populations to better recover from and withstand*
20 *future disasters;*

21 “(B) *address housing needs arising from a*
22 *disaster, or those needs present prior to a dis-*
23 *aster, including the needs of both renters and*
24 *homeowners;*

1 “(C) *prolong the life of housing and infra-*
2 *structure;*

3 “(D) *use cost-effective means of preventing*
4 *harm to people and property and incorporate*
5 *protective features and redundancies; and*

6 “(E) *other measures that will assure the*
7 *continuation of critical services during future*
8 *disasters.*

9 “(6) *PROPORTIONAL ALLOCATION.—For each*
10 *specific disaster, a grantee under this section shall al-*
11 *locate grant funds proportional to unmet needs be-*
12 *tween housing activities for renters and homeowners,*
13 *economic revitalization, and infrastructure unless the*
14 *Secretary specifically finds that—*

15 “(A) *there is a compelling need for a dis-*
16 *proportional allocation among those unmet*
17 *needs; and*

18 “(B) *the disproportional allocation de-*
19 *scribed in subparagraph (A) is not inconsistent*
20 *with the requirements under paragraph (4).*

21 “(7) *DISASTER RISK MITIGATION.—*

22 “(A) *DEFINITION.—In this paragraph, the*
23 *term ‘hazard-prone areas’—*

24 “(i) *means areas identified by the Sec-*
25 *retary, in consultation with the Adminis-*

1 *trator of the Federal Emergency Manage-*
2 *ment Agency, at risk from natural hazards*
3 *that threaten property damage or health,*
4 *safety, and welfare, such as floods, wildfires*
5 *(including Wildland-Urban Interface*
6 *areas), earthquakes, lava inundation, tor-*
7 *nados, and high winds; and*

8 *“(i) includes areas having special*
9 *flood hazards as identified under the Flood*
10 *Disaster Protection Act of 1973 (42 U.S.C.*
11 *4002 et seq.) or the National Flood Insur-*
12 *ance Act of 1968 (42 U.S.C. 4001 et seq.).*

13 *“(B) HAZARD-PRONE AREAS.—The Sec-*
14 *retary, in consultation with the Administrator of*
15 *the Federal Emergency Management Agency,*
16 *shall establish minimum construction standards,*
17 *insurance purchase requirements, and other re-*
18 *quirements for the use of grant funds in hazard-*
19 *prone areas.*

20 *“(C) SPECIAL FLOOD HAZARDS.—*

21 *“(i) IN GENERAL.—For the areas de-*
22 *scribed in subparagraph (A)(ii), the insur-*
23 *ance purchase requirements established*
24 *under subparagraph (B) shall meet or ex-*
25 *ceed the requirements under section 102(a)*

1 *of the Flood Disaster Protection Act of 1973*
2 *(42 U.S.C. 4012a(a)).*

3 “(i) *TREATMENT AS FINANCIAL AS-*
4 *SISTANCE.—All grants under this section*
5 *shall be treated as financial assistance for*
6 *purposes of section 3(a)(3) of the Flood Dis-*
7 *aster Protection Act of 1973 (42 U.S.C.*
8 *4003(a)(3)).*

9 “(D) *CONSIDERATION OF FUTURE RISKS.—*
10 *The Secretary may consider future risks to pro-*
11 *tecting property and health, safety, and general*
12 *welfare, and the likelihood of those risks, when*
13 *making the determination of or modification to*
14 *hazard-prone areas under this paragraph.*

15 “(8) *RELOCATION.—*

16 “(A) *IN GENERAL.—The Uniform Reloca-*
17 *tion Assistance and Real Property Acquisition*
18 *Policies Act of 1970 (42 U.S.C. 4601 et seq.)*
19 *shall apply to activities assisted under this sec-*
20 *tion to the extent determined by the Secretary in*
21 *regulation, or as provided in waivers or alter-*
22 *native requirements authorized in accordance*
23 *with subsection (i).*

1 “(B) *POLICY.*—*Each grantee under this sec-*
2 *tion shall establish a relocation assistance policy*
3 *that—*

4 “(i) *minimizes displacement and de-*
5 *scribes the benefits available to persons dis-*
6 *placed as a direct result of acquisition, re-*
7 *habilitation, 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 estab-*
12 *lishes by regulation.*

13 “(d) *CERTIFICATIONS.*—*Any grant under this section*
14 *shall be made only if the grantee certifies to the satisfaction*
15 *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 developed*
24 *so as to give maximum feasible priority to activities*
25 *that will benefit recipients described in subsection*

1 *(c)(4)(A) and activities described in subsection (c)(5),*
2 *and may also include activities that are designed to*
3 *aid in the prevention or elimination of slum and*
4 *blight to support disaster recovery, meet other commu-*
5 *nity development needs having a particular urgency*
6 *because existing conditions pose a serious and imme-*
7 *diate threat to the health or welfare of the community*
8 *where other financial resources are not available to*
9 *meet such needs, and alleviate future threats to*
10 *human populations, critical natural resources, and*
11 *property that an analysis of hazards shows are likely*
12 *to result from natural disasters in the future;*

13 *“(4) the grant funds shall principally benefit*
14 *persons of low- and moderate-income as described in*
15 *subsection (c)(4)(A);*

16 *“(5) for grants other than grants to Indian*
17 *tribes, within 24 months of receiving a grant or at the*
18 *time of its 3- or 5-year update, whichever is sooner,*
19 *the grantee will review and make modifications to its*
20 *non-disaster housing and community development*
21 *plans and strategies required by subsections (c) and*
22 *(m) of section 104 to reflect the disaster recovery*
23 *needs identified by the grantee and consistency with*
24 *the plan under subsection (c)(1);*

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

8 “(A) funds received under this section are
9 used to pay the proportion of such fee or assess-
10 ment that relates to the capital costs of such pub-
11 lic improvements that are financed from revenue
12 sources other than under this chapter; or

13 “(B) for purposes of assessing any amount
14 against properties owned and occupied by per-
15 sons of moderate income, the grantee certifies to
16 the Secretary that the grantee lacks sufficient
17 funds received under this section to comply with
18 the requirements of subparagraph (A);

19 “(7) the grantee will comply with the other pro-
20 visions of this title that apply to assistance under this
21 section and with other applicable laws;

22 “(8) the grantee will follow a relocation assist-
23 ance policy that includes any minimum requirements
24 identified by the Secretary; and

1 “(9) *the grantee will adhere to construction*
2 *standards, insurance purchase requirements, and*
3 *other requirements for development in hazard-prone*
4 *areas described in subsection (c)(7).*

5 “(e) *PERFORMANCE REVIEWS AND REPORTING.—*

6 “(1) *IN GENERAL.—The Secretary shall, on not*
7 *less frequently than an annual basis until the closeout*
8 *of a particular grant allocation, make such reviews*
9 *and audits as may be necessary or appropriate to de-*
10 *termine whether a grantee under this section has—*

11 “(A) *carried out activities using grant*
12 *funds in a timely manner;*

13 “(B) *met the performance targets established*
14 *by paragraph (2);*

15 “(C) *carried out activities using grant*
16 *funds in accordance with the requirements of*
17 *this section, the other provisions of this title that*
18 *apply to assistance under this section, and other*
19 *applicable laws; and*

20 “(D) *a continuing capacity to carry out ac-*
21 *tivities in a timely manner.*

22 “(2) *PERFORMANCE TARGETS.—The Secretary*
23 *shall develop and make publicly available critical*
24 *performance targets for review, which shall include*
25 *spending thresholds for each year from the date on*

1 *which funds are obligated by the Secretary to the*
2 *grantee until such time all funds have been expended.*

3 “(3) *FAILURE TO MEET TARGETS.*—

4 “(A) *SUSPENSION.*—*If a grantee under this*
5 *section fails to meet 1 or more critical perform-*
6 *ance targets under paragraph (2), the Secretary*
7 *may temporarily suspend the grant.*

8 “(B) *PERFORMANCE IMPROVEMENT PLAN.*—
9 *If the Secretary suspends a grant under subpara-*
10 *graph (A), the Secretary shall provide to the*
11 *grantee a performance improvement plan with*
12 *the specific requirements needed to lift the sus-*
13 *pension within a defined time period.*

14 “(C) *REPORT.*—*If a grantee fails to meet*
15 *the spending thresholds established under para-*
16 *graph (2), the grantee shall submit to the Sec-*
17 *retary, the appropriate committees of Congress,*
18 *and each member of Congress who represents a*
19 *district or State of the grantee a written report*
20 *identifying technical capacity, funding, or other*
21 *Federal or State impediments affecting the abil-*
22 *ity of the grantee to meet the spending thresh-*
23 *olds.*

24 “(4) *COLLECTION OF INFORMATION AND REPORT-*
25 *ING.*—

1 “(A) *REQUIREMENT TO REPORT.*—A grant-
2 *ee under this section shall provide to the Sec-*
3 *retary such information as the Secretary may*
4 *determine necessary for adequate oversight of the*
5 *grant program under this section.*

6 “(B) *PUBLIC AVAILABILITY.*—Subject to
7 *subparagraph (D), the Secretary shall make in-*
8 *formation submitted under subparagraph (A)*
9 *available to the public and to the Inspector Gen-*
10 *eral for the Department of Housing and Urban*
11 *Development.*

12 “(C) *SUMMARY STATUS REPORTS.*—To in-
13 *crease transparency and accountability of the*
14 *grant program under this section, the Secretary*
15 *shall, on not less frequently than an annual*
16 *basis, post on a public facing dashboard sum-*
17 *mary status reports for all active grants under*
18 *this section that includes—*

19 “(i) *the status of funds by activity;*

20 “(ii) *the percentages of funds allocated*
21 *and expended to benefit low- and moderate-*
22 *income communities;*

23 “(iii) *performance targets, spending*
24 *thresholds, and accomplishments; and*

1 “(iv) other information the Secretary
2 determines to be relevant for transparency.

3 “(D) CONSIDERATIONS.—In carrying out
4 this paragraph, the Secretary shall take such ac-
5 tions as may be necessary to ensure that person-
6 ally identifiable information regarding appli-
7 cants for assistance provided from funds made
8 available under this section is not made publicly
9 available.

10 “(E) RESEARCH PARTNERSHIPS.—

11 “(i) IN GENERAL.—The Secretary may,
12 upon a formal request from researchers,
13 make disaggregated information available to
14 the requestor that is specific and relevant to
15 the research being conducted, and for the
16 purposes of researching program impact
17 and efficacy.

18 “(ii) PRIVACY PROTECTIONS.—In mak-
19 ing information available under clause (i),
20 the Secretary shall protect personally iden-
21 tifiable information as required under sec-
22 tion 552a of title 5, United States Code
23 (commonly known as the ‘Privacy Act of
24 1974’).

25 “(f) ELIGIBLE ACTIVITIES.—

1 “(1) *IN GENERAL.*—*Activities assisted under this*
2 *section—*

3 “(A) *may include activities permitted under*
4 *section 105 or other activities permitted by the*
5 *Secretary by waiver or alternative requirement*
6 *pursuant to subsection (i); and*

7 “(B) *shall be related to disaster relief, long-*
8 *term recovery, restoration of housing and infra-*
9 *structure, economic revitalization, and mitiga-*
10 *tion in the most impacted and distressed areas*
11 *resulting from the major disaster for which the*
12 *grant was awarded.*

13 “(2) *PROHIBITION.*—*Grant funds under this sec-*
14 *tion may not be used for costs reimbursable by, or for*
15 *which funds have been made available by, the Federal*
16 *Emergency Management Agency or the United States*
17 *Army Corps of Engineers.*

18 “(3) *ADMINISTRATIVE COSTS, TECHNICAL AS-*
19 *SISTANCE, AND PLANNING.*—

20 “(A) *IN GENERAL.*—*The Secretary shall es-*
21 *tablish in regulation the maximum grant*
22 *amounts a grantee may use for administrative*
23 *costs, technical assistance, and planning activi-*
24 *ties, taking into consideration size of grant, com-*
25 *plexity of recovery, and other factors as deter-*

1 *mined by the Secretary, but not to exceed 8 per-*
2 *cent for administration and 20 percent in total.*

3 “(B) *AVAILABILITY.*—*Amounts available for*
4 *administrative costs for a grant under this sec-*
5 *tion shall be available for eligible administrative*
6 *costs of the grantee for any grant made under*
7 *this section, without regard to a particular dis-*
8 *aster.*

9 “(C) *SUPPLEMENTAL PLAN.*—

10 “(i) *IN GENERAL.*—*Grantees may sub-*
11 *mit to the Secretary an optional supple-*
12 *mental plan to the grantee plan required*
13 *under this title specifically for administra-*
14 *tive costs, which shall include a description*
15 *of the use of all grant funds for administra-*
16 *tive costs, including for any eligible pre-*
17 *award program administrative costs, and*
18 *how such uses will prepare the grantee to*
19 *more effectively and expeditiously admin-*
20 *ister funds provided under the full plan.*

21 “(ii) *USE OF FUNDS.*—*If a supple-*
22 *mental plan is approved under clause (i), a*
23 *grantee may draw down the aforementioned*
24 *administrative funds before the full grantee*
25 *plan is approved.*

1 “(iii) *WAIVERS.*—*In carrying out this*
2 *subparagraph, the Secretary may include*
3 *any waivers or alternative requirements in*
4 *accordance with subsection (i).*

5 “(4) *PROGRAM INCOME.*—*Notwithstanding any*
6 *other provision of law, any grantee under this section*
7 *may retain program income that is realized from*
8 *grants made by the Secretary under this section if the*
9 *grantee agrees that the grantee will utilize the pro-*
10 *gram income in accordance with the requirements for*
11 *grants under this section, except that the Secretary*
12 *may—*

13 “(A) *by regulation, exclude from consider-*
14 *ation as program income any amounts deter-*
15 *mined to be so small that compliance with this*
16 *paragraph creates an unreasonable administra-*
17 *tive burden on the grantee; or*

18 “(B) *permit the grantee to transfer remain-*
19 *ing program income to the other grants of the*
20 *grantee under this title upon closeout of the*
21 *grant.*

22 “(5) *PROHIBITION ON USE OF ASSISTANCE FOR*
23 *EMPLOYMENT RELOCATION ACTIVITIES.*—

24 “(A) *IN GENERAL.*—*Grants under this sec-*
25 *tion may not be used to assist directly in the re-*

1 *location of any industrial or commercial plant,*
2 *facility, or operation, from one area to another*
3 *area, if the relocation is likely to result in a sig-*
4 *nificant loss of employment in the labor market*
5 *area from which the relocation occurs.*

6 “(B) *APPLICABILITY.*—*The prohibition*
7 *under subparagraph (A) shall not apply to a*
8 *business that was operating in the disaster-de-*
9 *clared labor market area before the incident date*
10 *of the applicable disaster and has since moved,*
11 *in whole or in part, from the affected area to an-*
12 *other State or to a labor market area within the*
13 *same State to continue business.*

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

20 “(g) *ENVIRONMENTAL REVIEW.*—

21 “(1) *ADOPTION.*—*A recipient of funds provided*
22 *under this section that uses the funds to supplement*
23 *Federal assistance provided under section 203, 402,*
24 *403, 404, 406, 407, 408(c)(4), 428, or 502 of the Rob-*
25 *ert T. Stafford Disaster Relief and Emergency Assist-*

1 *ance Act (42 U.S.C. 5170a, 5170b, 5170c, 5172, 5173,*
2 *5174(c)(4), 5189f, 5192) may adopt, without review*
3 *or public comment, any environmental review, ap-*
4 *proval, or permit performed by a Federal agency, and*
5 *such adoption shall satisfy the responsibilities of the*
6 *recipient with respect to such environmental review,*
7 *approval, or permit under section 104(g)(1), so long*
8 *as the actions covered by the existing environmental*
9 *review, approval, or permit and the actions proposed*
10 *for these supplemental funds are substantially the*
11 *same.*

12 *“(2) APPROVAL OF RELEASE OF FUNDS.—Not-*
13 *withstanding section 104(g)(2), the Secretary or a*
14 *State may, upon receipt of a request for release of*
15 *funds and certification, immediately approve the re-*
16 *lease of funds for an activity or project to be assisted*
17 *under this section if the recipient has adopted an en-*
18 *vironmental review, approval, or permit under para-*
19 *graph (1) or the activity or project is categorically ex-*
20 *cluded from review under the National Environ-*
21 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

22 *“(3) UNITS OF GENERAL LOCAL GOVERNMENT.—*
23 *The provisions of section 104(g)(4) shall apply to as-*
24 *sistance under this section that a State distributes to*
25 *a unit of general local government.*

1 “(h) *FINANCIAL CONTROLS AND PROCEDURES.*—

2 “(1) *IN GENERAL.*—*The Secretary shall develop*
3 *requirements and procedures to demonstrate that a*
4 *grantee under this section—*

5 “(A) *has adequate financial controls and*
6 *procurement processes;*

7 “(B) *has adequate procedures to detect and*
8 *prevent fraud, waste, abuse, and duplication of*
9 *benefit; and*

10 “(C) *maintains a comprehensive and pub-*
11 *licly accessible website.*

12 “(2) *CERTIFICATION.*—*Before making a grant*
13 *under this section, the Secretary shall certify that the*
14 *grantee has in place proficient processes and proce-*
15 *dures to comply with the requirements developed*
16 *under paragraph (1), as determined by the Secretary.*

17 “(3) *COMPLIANCE BEFORE ALLOCATION.*—*The*
18 *Secretary may permit a State, unit of general local*
19 *government, or Indian tribe to demonstrate compli-*
20 *ance with the requirements for adequate financial*
21 *controls developed under paragraph (1) before a dis-*
22 *aster occurs and before receiving an allocation for a*
23 *grant under this section.*

24 “(4) *DUPLICATION OF BENEFITS.*—

1 “(A) *IN GENERAL.*—Funds made available
2 under this section shall be used in accordance
3 with section 312 of the Robert T. Stafford Dis-
4 aster Relief and Emergency Assistance Act (42
5 U.S.C. 5155) and such rules as may be pre-
6 scribed under such section 312.

7 “(B) *PENALTIES.*—In any case in which
8 the use of grant funds under this section results
9 in a prohibited duplication of benefits, the grant-
10 ee shall—

11 “(i) apply an amount equal to the
12 identified duplication to any allowable costs
13 of the award consistent with an actual, im-
14 mediate cash requirement;

15 “(ii) remit any excess amounts to the
16 Secretary to be credited to the obligated,
17 undisbursed balance of the grant consistent
18 with requirements on Federal payments ap-
19 plicable to such grantee; and

20 “(iii) if excess amounts under clause
21 (ii) are identified after the period of per-
22 formance or after the closeout of the award,
23 remit such amounts to the Secretary to be
24 credited to the Fund.

1 “(C) *FAILURE TO COMPLY.*—Any grantee
2 provided funds under this section or from prior
3 appropriations Acts under the heading ‘Communi-
4 ty Development Fund’ for purposes related to
5 major disasters that fails to comply with section
6 312 of the Robert T. Stafford Disaster Relief and
7 Emergency Assistance Act (42 U.S.C. 5155) or
8 fails to satisfy penalties to resolve a duplication
9 of benefits shall be subject to remedies for non-
10 compliance under section 111, unless the Sec-
11 retary publishes a determination in the Federal
12 Register that it is not in the best interest of the
13 Federal Government to pursue remedial actions.

14 “(i) *WAIVERS AND ALTERNATIVE REQUIREMENTS.*—

15 “(1) *IN GENERAL.*—In administering grants
16 under this section, the Secretary may waive, or speci-
17 fy alternative requirements for, any provision of any
18 statute or regulation that the Secretary administers
19 in connection with the obligation by the Secretary or
20 the use by the grantee of those funds (except for re-
21 quirements related to fair housing, nondiscrimina-
22 tion, labor standards, the environment, and the re-
23 quirements of this section that do not expressly au-
24 thorize modifications by waiver or alternative re-
25 quirement), if the Secretary makes a public finding

1 *that good cause exists for the waiver or alternative re-*
2 *quirement.*

3 “(2) *EFFECTIVE DATE.*—*A waiver or alternative*
4 *requirement described in paragraph (1) shall not take*
5 *effect before the date that is 5 days after the date of*
6 *publication of the waiver or alternative requirement*
7 *on the website of the Department of Housing and*
8 *Urban Development or the effective date for any regu-*
9 *lation published in the Federal Register.*

10 “(3) *PUBLIC NOTIFICATION.*—*The Secretary shall*
11 *notify the public of all waivers or alternative require-*
12 *ments described in paragraph (1) in accordance with*
13 *the requirements of section 7(q)(3) of the Department*
14 *of Housing and Urban Development Act (42 U.S.C.*
15 *3535(q)(3)).*

16 “(j) *UNUSED AMOUNTS.*—

17 “(1) *DEADLINE TO USE AMOUNTS.*—*A grantee*
18 *under this section shall use an amount equal to the*
19 *grant within 6 years beginning on the date on which*
20 *the Secretary obligates the amounts to the grantee, as*
21 *such period may be extended under paragraph (4).*

22 “(2) *RECAPTURE.*—*The Secretary shall recap-*
23 *ture and credit to the Fund any amount that is un-*
24 *used by a grantee under this section upon the earlier*
25 *of—*

1 “(A) *the date on which the grantee notifies*
2 *the Secretary that the grantee has completed all*
3 *activities identified in the disaster grantee’s plan*
4 *under subsection (c); or*

5 “(B) *the expiration of the 6-year period de-*
6 *scribed in paragraph (1), as such period may be*
7 *extended under paragraph (4).*

8 “(3) *RETENTION OF FUNDS.—Notwithstanding*
9 *paragraph (1), the Secretary—*

10 “(A) *shall allow a grantee under this sec-*
11 *tion to retain amounts needed to close out*
12 *grants; and*

13 “(B) *may allow a grantee under this section*
14 *to retain up to 10 percent of the remaining*
15 *funds to support maintenance of the minimal ca-*
16 *capacity to launch a new program in the event of*
17 *a future disaster and to support pre-disaster*
18 *long-term recovery and mitigation planning.*

19 “(4) *EXTENSION OF PERIOD FOR USE OF*
20 *FUNDS.—The Secretary may extend the 6-year period*
21 *described in paragraph (1) by not more than 4 years,*
22 *or not more than 6 years for mitigation activities,*
23 *if—*

24 “(A) *the grantee submits to the Secretary—*

1 “(i) written documentation of the exi-
2 gent circumstances impacting the ability of
3 the grantee to expend funds that could not
4 be anticipated; or

5 “(ii) a justification that such request is
6 necessary due to the nature and complexity
7 of the program and projects; and

8 “(B) the Secretary submits a written jus-
9 tification for the extension to the Committee on
10 Appropriations and the Committee on Banking,
11 Housing, and Urban Affairs of the Senate and
12 the Committee on Appropriations and the Com-
13 mittee on Financial Services of the House of
14 Representatives that specifies the period of that
15 extension.

16 “(k) DEFINITION.—In this section, the term ‘Indian
17 tribe’ has the meaning given the term in section 4 of the
18 Native American Housing Assistance and Self-Determina-
19 tion Act of 1996 (25 U.S.C. 4103).”.

20 (e) REGULATIONS.—

21 (1) PROPOSED RULES.—Following consultation
22 with the Federal Emergency Management Agency, the
23 Small Business Administration, and other Federal
24 agencies, not later than 6 months after the date of en-
25 actment of this Act, the Secretary shall issue proposed

1 *rules to carry out this section and the amendments*
2 *made by this section and shall provide a 90-day pe-*
3 *riod for submission of public comments on those pro-*
4 *posed rules.*

5 *(2) FINAL RULES.—Not later than 1 year after*
6 *the date of enactment of this Act, the Secretary shall*
7 *issue final regulations to carry out section 124 of the*
8 *Housing and Community Development Act of 1974,*
9 *as added by subsection (d).*

10 *(f) COORDINATION OF DISASTER RECOVERY ASSIST-*
11 *ANCE, BENEFITS, AND DATA WITH OTHER FEDERAL AGEN-*
12 *CIES.—*

13 *(1) COORDINATION OF DISASTER RECOVERY AS-*
14 *SISTANCE.—In order to ensure a comprehensive ap-*
15 *proach to Federal disaster relief, long-term recovery,*
16 *restoration of housing and infrastructure, economic*
17 *revitalization, and mitigation in the most impacted*
18 *and distressed areas resulting from a catastrophic*
19 *major disaster, the Secretary shall coordinate with the*
20 *Federal Emergency Management Agency, to the great-*
21 *est extent practicable, in the implementation of assist-*
22 *ance authorized under section 124 of the Housing and*
23 *Community Development Act of 1974, as added by*
24 *subsection (d).*

1 (2) *DATA SHARING AGREEMENTS.*—*To support*
2 *the coordination of data to prevent duplication of*
3 *benefits with other Federal disaster recovery programs*
4 *while also expediting recovery and reducing burden*
5 *on disaster survivors, the Department shall establish*
6 *data sharing agreements that safeguard privacy with*
7 *relevant Federal agencies to ensure disaster benefits*
8 *effectively and efficiently reach intended beneficiaries,*
9 *while using effective means of preventing harm to*
10 *people and property.*

11 (3) *DATA TRANSFER FROM FEMA AND SBA TO*
12 *HUD.*—*As permitted and deemed necessary for effi-*
13 *cient program execution, and consistent with a com-*
14 *puter matching agreement entered into under para-*
15 *graph (6)(A), the Administrator of the Federal Emer-*
16 *gency Management Agency and the Administrator of*
17 *the Small Business Administration shall provide data*
18 *on disaster applicants to the Department, including,*
19 *when necessary, personally identifiable information,*
20 *disaster recovery needs, and resources determined eli-*
21 *gible for, and amounts expended, to the Secretary for*
22 *all major disasters declared by the President pursuant*
23 *to section 401 of Robert T. Stafford Disaster Relief*
24 *and Emergency Assistance Act (42 U.S.C. 5170) for*

1 *the purpose of providing additional assistance to dis-*
2 *aster survivors and prevent duplication of benefits.*

3 (4) *DATA TRANSFERS FROM HUD TO HUD*
4 *GRANTEES.—The Secretary is authorized to provide*
5 *to grantees under section 124 of the Housing and*
6 *Community Development Act of 1974, as added by*
7 *subsection (d), offices of the Department, technical as-*
8 *sistance providers, and lenders information that in*
9 *the determination of the Secretary is reasonably*
10 *available and appropriate to inform the provision of*
11 *assistance after a major disaster, including informa-*
12 *tion provided to the Secretary by the Administrator*
13 *of the Federal Emergency Management Agency, the*
14 *Administrator of the Small Business Administration,*
15 *or other Federal agencies.*

16 (5) *DATA TRANSFERS FROM HUD GRANTEES TO*
17 *HUD, FEMA, AND SBA.—*

18 (A) *REPORTING.—Grantees under section*
19 *124 of the Housing and Community Develop-*
20 *ment Act of 1974, as added by subsection (d),*
21 *shall report information requested by the Sec-*
22 *retary on households, businesses, and other enti-*
23 *ties assisted and the type of assistance provided.*

24 (B) *SHARING INFORMATION.—The Secretary*
25 *shall share information collected under subpara-*

1 *graph (A) with the Federal Emergency Manage-*
2 *ment Agency, the Small Business Administra-*
3 *tion, and other Federal agencies to support the*
4 *planning and delivery of disaster recovery and*
5 *mitigation assistance and other related purposes.*

6 *(6) PRIVACY PROTECTION.—*

7 *(A) IN GENERAL.—The Secretary may make*
8 *and receive data transfers authorized under this*
9 *subsection, including the use and retention of*
10 *that data for computer matching programs, to*
11 *inform the provision of assistance, assess disaster*
12 *recovery needs, and prevent the duplication of*
13 *benefits and other waste, fraud, and abuse, pro-*
14 *vided that—*

15 *(i) the Secretary enters an information*
16 *sharing agreement or a computer matching*
17 *agreement, when required by section 522a of*
18 *title 5, United States Code (commonly*
19 *known as the “Privacy Act of 1974”), with*
20 *the Administrator of the Federal Emergency*
21 *Management Agency, the Administrator of*
22 *the Small Business Administration, or other*
23 *Federal agencies covering the transfer of*
24 *data; and*

1 (ii) the Secretary publishes intent to
2 disclose data in the Federal Register.

3 (B) DATA SHARING AGREEMENT.—Notwith-
4 standing clauses (i) and (ii) of subparagraph
5 (A), section 552a of title 5, United States Code,
6 or any other law, the Secretary is authorized to
7 share data with an entity identified in para-
8 graph (4), and the entity is authorized to use the
9 data as described in this section, if the Secretary
10 enters a data sharing agreement with the entity
11 before sharing or receiving any information
12 under transfers authorized by this section, which
13 data sharing agreement shall—

14 (i) in the determination of the Sec-
15 retary, include measures adequate to safe-
16 guard the privacy and personally identifi-
17 able information of individuals; and

18 (ii) include provisions that describe
19 how the personally identifiable information
20 of an individual will be adequately safe-
21 guarded and protected, which requires con-
22 sultation with the Secretary and the head of
23 each Federal agency the data of which is
24 being shared subject to the agreement.

1 (g) *SUNSET.*—*The program under section 124 of the*
2 *Housing and Community Development Act of 1974, as*
3 *added by subsection (d) shall terminate on the date that*
4 *is 3 years after the date of enactment of this Act.*

5 (h) *SENSE OF CONGRESS.*—*It is the sense of Congress*
6 *that, should Congress opt to appropriate funds for disaster*
7 *recovery through a similar successor program following the*
8 *sunset date, subsection (g) shall not preclude Congress from*
9 *doing so.*

10 (i) *APPLICATION.*—*Grants made under section 124 of*
11 *the Housing and Community Development Act of 1974, as*
12 *added by subsection (d), after the date of enactment of this*
13 *Act shall be carried out using amounts appropriated after*
14 *the date of enactment of this Act.*

15 **SEC. 505. NEW MOVING TO WORK COHORT.**

16 (a) *DEFINITIONS.*—*In this section:*

17 (1) *MOVING TO WORK DEMONSTRATION.*—*The*
18 *term “Moving to Work demonstration” means the*
19 *Moving to Work demonstration authorized under sec-*
20 *tion 204 of the Departments of Veterans Affairs and*
21 *Housing and Urban Development, and Independent*
22 *Agencies Appropriations Act, 1996 (42 U.S.C. 1437f*
23 *note).*

24 (2) *SECRETARY.*—*The term “Secretary” means*
25 *the Secretary of Housing and Urban Development.*