



Committee on Appropriations – Democrats

NO MONEY SHALL BE DRAWN FROM THE TREASURY BUT IN CONSEQUENCE OF APPROPRIATIONS MADE BY LAW. U.S. CONSTITUTION ARTICLE I, SECTION 9, CLAUSE 7



Congresswoman Hilda Lowey,
Ranking Democratic Member

Summary of Emergency Disaster Supplemental December 19, 2017

On Monday, December 18th, the House majority introduced a third disaster supplemental following hurricanes and wildfires of summer and fall 2017.

The package totals \$81 billion, with the vast majority directed toward FEMA's Disaster Relief Fund (\$27.5 billion), Community Development Block Grants (\$26 billion), and Army Corps of Engineers repairs and resiliency (\$12.1 billion).

While some funding levels are robust, this package is not the product of bipartisan negotiation and compromise.

- It fails to include critical priorities of Democrats, including addressing Medicaid shortfalls in Puerto Rico and the U.S. Virgin Islands and investing in safe drinking water systems in disaster-affected states and territories.
- Further, this package fails to waive unworkable cost-share requirements for FEMA and Army Corps of Engineers programs that will hinder the effectiveness of federal funding, and it unjustifiably inserts an oversight board in Puerto Rico's recovery.

Had the majority worked with Democrats in a bipartisan way, these shortcomings could have been fixed prior to introducing the package.

Please see a section-by-section summary below.

Agriculture

The Agriculture title includes:

- \$400 million for the Emergency Conservation Program, of which not less than \$300 million is for Stafford Act-designated disasters
- \$541 million for the Emergency Watershed Protection Program, of which not less than \$400 million is for Stafford Act-designated disasters
- Not more than \$40 million for Emergency Assistance for Livestock, Honey Bees, and Farm Raised Fish Program.
- \$19 million for loans for rehabilitation of damaged USDA multi-family properties
- \$22 million for repair of damaged Agriculture Research Service buildings and facilities
- \$165.5 million in grants for damaged waste and water disposal systems
- \$24 million for the Emergency Food Assistance Program for hurricane and wildfire-affected states and territories.

Additional language included:

- Allowing USDA to issue block grants to disaster-affected areas or to provide direct assistance through the Farm Service Agency
- Making cottonseed eligible for certain farm bill programs
- Removing cap on livestock crop insurance expenses
- Expanding 5-state pilot program to address possible duplicate enrollments among SNAP beneficiaries

The Agriculture title fails to include a proposal by Democrats for \$14 million to rebuild WIC clinics in Puerto Rico and U.S. Virgin Islands.

Commerce, Justice, Science

The CJS title of the emergency disaster supplemental includes:

- \$600 million for Economic Development Administration disaster assistance
- \$200.1 million for the National Oceanic and Atmospheric Administration (NOAA) to repair and replace damaged equipment; weather forecasting improvements; marine debris assessment and removal; and mapping, charting, and geodesy services
- A total of \$35.2 million for the U.S. Marshals Service, FBI, and Drug Enforcement Administration
- \$50 million for the Federal Bureau of Prisons
- \$81.3 million for NASA for repairs to damaged facilities
- \$16.3 million for repairs to National Science Foundation radio telescope facilities
- \$1 million for the mobile resources, technology, and disaster coordinators for Legal Services Corporation, with a long list of restrictions on activities of local attorneys.

This title fails to include priorities of Democrats, including:

- NOAA fisheries disaster assistance
- NOAA Coastal Resilience Grants
- National Oceans and Coastal Security Funding
- Language waiving cost-share requirement for Economic Development Administration (EDA) disaster assistance
- Additional funding for Legal Services Corporation direct representation

Defense

The Defense title of the emergency disaster supplemental includes \$434 million in Operation and Maintenance funding to military services for restoration of damaged facilities, outfitting of facilities replaced and reinstalling of equipment removed prior to the Hurricanes' landfall.

Included within that \$434 million is \$18 million in procurement funding for the Navy to replace items such as physical security equipment and furnishings in damaged facilities.

Energy & Water Development

The Energy & Water Development title of the disaster supplemental includes:

- \$12.1 billion for the Army Corps of Engineer for disaster-affected areas, including:
 - \$10.5 billion to expedite studies and construction for flood and storm damage reduction projects
 - \$1.6 billion for repairs of Corps projects
- \$21.7 million for the Department of Energy for studies related to disaster response and for repairs to Strategic Petroleum Reserve sites.

The E&W title does not include a House and Senate minority priority to waive cost-sharing requirements for projects not yet under construction in Puerto Rico and the U.S. Virgin Islands.

Financial Services & General Government

The Financial Services & General Government title of the disaster supplemental includes:

- \$1.65 billion for Small Business Administration Disaster Loan Assistance
- \$126.905 million for the General Services Administration Federal Buildings Fund to repair damage to federal facilities incurred by disasters.

Homeland Security

The Homeland Security title of the emergency disaster supplemental includes:

- \$25 million for the Office of the Inspector General to audit use of disaster funding.
- \$103.5 million for CBP operations, primarily to replace lost customs revenue associated with infrastructure damage
- \$64 million to repair damaged ICE facilities and equipment and replace lost customs revenue associated with infrastructure damage
- \$10.3 million to repair or replace TSA facilities and equipment
- \$10.4 million for Federal Law Enforcement Training Centers in Glynco, GA and Charleston, SC
- \$112.1 million for Coast Guard Operating Expenses, \$4 million for environmental work, and \$718.9 million for Acquisition, Construction, and Improvements to restore facilities damaged by hurricanes and mitigate future disaster impacts
- \$27.5 billion for FEMA's Disaster Relief Fund (DRF), including requested authority to transfer up to \$4 billion to the Disaster Assistance Direct Loan Program.

Authorizing language included:

- Requiring Puerto Rico to submit a recovery plan for certification by the PROMESA oversight board.
- Establishing a 90% federal cost-share for debris removal for major disasters declared in 2017 as a result of wildfires.
- FEMA reform bill, including changes to the Stafford Act.
- Authority for FEMA to waive the pre-disaster condition limitation for critical systems in Puerto Rico and the U.S. Virgin Islands; the Administration proposed a broader authority to waive this limitation for all damaged facilities and systems in Puerto Rico.

This title fails to include the following priorities of the Democrats:

- \$42 million to fully restore the San Juan Customs House to operational condition.
- \$92.2 million in additional Coast Guard projects.
- Authority to allow federal disaster response personnel to receive overtime pay above the normal statutory cap.
- Authority for FEMA to waive the local cost share for Puerto Rico and the U.S. Virgin Islands for FEMA Public Assistance.
- Authority for FEMA to award the full cost of replacing facilities and systems in Puerto Rico and the U.S. Virgin Islands with more efficient and resilient systems.
- Authority to extend the period of consideration for revenue loss used in the calculation of Community Disaster Loans.

Interior

The Interior title of the emergency disaster supplemental includes:

- \$225 million for National Park Service construction and historic preservation
- \$210.6 million for the U.S. Fish and Wildlife Service for removal of debris and hazardous materials, and repair of facilities, roads and bridges, and water systems
- \$42.2 million for the U.S. Geological Survey for repair and replacement of streamgages and seismic monitors, collection of high resolution data to inform recovery efforts
- \$13.2 million for the Environmental Protection Agency Hazard Substances Superfund and Leaking Underground Storage Tank Trust Fund
- \$119.8 million for the U.S. Forest Service for removal of debris and hazardous materials, repair and rehabilitation of facilities, and assessment of forest damage and forest restoration

The Interior title fails to include:

- \$500 million in Resiliency Grants through the Department of the Interior, critical mitigate damage incurred by future disasters.
- \$725 million for Assistance to Territories through the DOI Office of Insular Affairs
- \$66 million in additional requested funding for the Leaking Underground Storage Tank Trust Fund
- \$229 million in State and Tribal Assistance Grants for Hazardous waste
- \$706 million for State Revolving Funds for water infrastructure in Texas and Florida
- \$2.5 billion in State Revolving Funds for water infrastructure in Puerto Rico and U.S. Virgin Islands
- \$100 million for the U.S. Forest Service for wildland firefighting and mitigation

Labor, HHS, and Education

The L-HHS-Ed title of the emergency disaster supplemental includes:

- \$2.5 billion to help restart elementary and secondary schools and assist school districts receiving displaced students.
- Up to \$120 million for colleges and universities enrolling displaced students, and up to \$200 million for colleges and universities to re-open.

- \$25 million for school districts serving displaced homeless students
- \$650 million for Head Start to help grantees recover and restart services
- \$200 million for CDC mosquito eradication, infectious disease response, environmental health, and repairs to facilities.
- \$80 million for Preparedness and Response (ASPR) to hire emergency personnel, replace emergency medical supply caches, and upgrade equipment
- \$60 million for Community Health Centers for renovation, construction, equipment, and operations
- \$20 million for SAMHSA to support behavioral health treatment, crisis counseling, and other related activities
- \$15 million for NIH to repair or rebuild non-federal biomedical and behavioral research facilities
- \$30 million for Department of Labor National Emergency Grants
- \$30.9 million to rebuild Job Corps centers in Puerto Rico

Authorizing language included:

- Allowing temporary direct hiring authority for CDC and ASPR emergency response personnel
- Allowing 100% of disadvantaged youth workforce investment funds to be transferred to adult and dislocated worker programs. House minority opposes this provision.
- Deferring U.S. Virgin Islands Unemployment Insurance interest payments

This title fails to include the following priorities of Democrats:

- Federal funding for Medicaid in Puerto Rico and the U.S. Virgin Islands. Democrats had requested \$4.9 billion and \$150 million over two years, respectively, as well as 100% federal funding (FMAP) for that period. Medicaid programs in the territories are expected to exhaust current funds in early 2018 without emergency funding.
- \$1 billion for Social Services Block Grant (SSBG) to provide flexible funding for hurricane and wildfire-affected areas.
- \$65 million for Corporation for National and Community Service

Legislative Branch

The Legislative Branch title of the emergency disaster supplemental includes:

- \$14 million for GAO audits and investigations relating to use of federal disaster recovery funds

Authorizing language included:

- Requiring GAO to submit to Congress a report on the U.S. Virgin Islands economic and disaster recovery plan and internal controls to oversee disaster funds.
- Requires OMB to issue guidance for federal agencies to use in designing internal controls of disaster recovery spending
- Prohibits FEMA from reimbursing states or municipal governments that do not allow FEMA or GAO to audit and review contracts.

Military Construction & Veterans Affairs

The Military Construction & Veterans Affairs title of the emergency disaster supplemental includes:

- \$202 million for Navy and Marine Corps construction, including \$187 million for construction projects in Corpus Christi, TX and Key West, FL; and \$14.9 million for planning and design associated with these projects.
- \$519.3 million for Army National Guard construction, including \$458 million for ten projects in Puerto Rico, \$22.8 million for two projects in the U.S. Virgin Islands, and \$38.5 million for planning and design associated with these projects.
- \$89.4 million for the Veterans Health Administration for repairs to medical facilities and for personnel
- \$4.1 million for infrastructure repairs at the national cemetery in Puerto Rico

Transportation-HUD

The Transportation-HUD title of the emergency disaster supplemental includes:

- \$114.6 million for the Federal Aviation Administration, including funding for operational expenses and to repair facilities and equipment
- \$1.37 billion for the Federal Highway Administration Emergency Relief Program to reimburse states for damage to roads and bridges
- \$269 million for the Federal Transit Administration, Public Transportation Emergency Relief Program to rebuild public transit systems
- \$10 million for the Maritime Administration to repair damaged facilities
- \$26 billion for Community Development Block Grants - Disaster Recovery, including:
 - \$13.56 billion for unmet recovery needs from 2017 disasters; and
 - \$12.5 billion for additional mitigation activities and communities that received CDBG-DR grants 2011-2017.

Authorizing language included:

- Authority for Puerto Rico to use surplus toll credits for local share of FHWA Emergency Relief
- Removes cap on FHWA assistance to territories for FY2018 and FY2019.