

Your house is under water. Now, the bank can reduce the principal down to 200,000. They can grant you \$100,000 forgiveness. But you know what happens to you when that happens? That 100,000 appears on your doorstep as income in the next taxing cycle.

That provision is in—we have an exemption for that presently, but it's expiring in January, and we simply have not even brought that issue up. There are thousands of people out there with foreclosures on their homes who are being socked or will be socked by debt forgiveness by banks. Those are the kinds of other issues that should have been dealt with.

Everyone's going to vote for this bill. I suspect that unless the Republicans want a vote on it for PR purposes, it'll go without a sound. None of us are going to ask for a vote, because it's obvious that this is one of those places where you want to make sure that a family who gives their son or their daughter does not get socked with a debt on top of it.

I urge my colleagues to vote for this, but urge the leadership on the other side to think about having hearings and reestablishing the regular order in the House so that we can answer some of the questions that are about this bill and think about many of the other issues that we have not dealt with.

We're within 2 days of the end of this Congress, and we've got thousands of issues. Everybody knows that November and December are going to be terrible because we're going to be right back here trying then to deal, on the back of a galloping horse, with a huge number of issues that have not been dealt with by the shortest Congress, the least hearings, the least bills passed.

I yield back the balance of my time. Mr. SAM JOHNSON of Texas. Mr. Speaker, I appreciate our guys fighting for us.

#### GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5044, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SAM JOHNSON of Texas. I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 5044, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DESJARLAIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

### FEMA REAUTHORIZATION ACT OF 2012

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2903) to reauthorize the programs and activities of the Federal Emergency Management Agency, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2903

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “FEMA Reauthorization Act of 2012”.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

#### TITLE I—REAUTHORIZATION OF FEMA AND MODERNIZATION OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

Sec. 101. Reauthorization of Federal Emergency Management Agency.

Sec. 102. Integrated Public Alert and Warning System Modernization.

#### TITLE II—STAFFORD ACT AND OTHER PROGRAMS

Sec. 201. Reauthorization of urban search and rescue response system.

Sec. 202. Reauthorization of emergency management assistance compact grants.

Sec. 203. Disposal of excess property to assist other disaster survivors.

Sec. 204. Storage, sale, transfer, and disposal of housing units.

Sec. 205. Other methods of disposal.

Sec. 206. Establishment of criteria relating to administration of hazard mitigation assistance by States.

Sec. 207. Review of regulations and policies.

Sec. 208. Appeals process.

Sec. 209. Implementation of cost estimating.

Sec. 210. Tribal requests for a major disaster or emergency declaration under the Stafford Act.

Sec. 211. Individual assistance factors.

Sec. 212. Public assistance pilot program.

Sec. 213. Public assistance debris removal procedures.

Sec. 214. Use of funds.

Sec. 215. Reduction of authorization for emergency management performance grants.

Sec. 216. Technical correction.

Sec. 217. National Dam Safety Program Act reauthorization.

#### TITLE I—REAUTHORIZATION OF FEMA AND MODERNIZATION OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

##### SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.

Section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) is amended to read as follows:

##### “SEC. 699. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title and the amendments made by this title for the salaries and expenses of the Agency—

“(1) for fiscal year 2012, \$1,031,378,000, including amounts transferred from grant programs;

“(2) for fiscal year 2013, \$1,031,378,000, including amounts transferred from grant programs; and

“(3) for fiscal year 2014, \$1,031,378,000, including amounts transferred from grant programs.”.

##### SEC. 102. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) SHORT TITLE.—This section may be cited as the “Integrated Public Alert and Warning System Modernization Act of 2012”.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.—

(1) IN GENERAL.—To provide timely and effective disaster warnings under this section, the President, acting through the Administrator of the Federal Emergency Management Agency, shall—

(A) modernize the integrated public alert and warning system of the United States (in this section referred to as the “public alert and warning system”) to ensure that the President under all conditions is able to alert and warn governmental authorities and the civilian population in areas endangered by disasters; and

(B) implement the public alert and warning system.

(2) IMPLEMENTATION REQUIREMENTS.—In carrying out paragraph (1), the Administrator shall, consistent with the recommendations in the final report of the Integrated Public Alert and Warning System Advisory Committee (established under subsection (c))—

(A) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

(B) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(C) include in the public alert and warning system the capability to alert and warn, and provide the equivalent amount of information to individuals with disabilities and individuals with access and functional needs;

(D) ensure that training, tests, and exercises are conducted for the public alert and warning system and that the system is incorporated into other training and exercise programs of the Department of Homeland Security, as appropriate;

(E) establish and integrate into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, Tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System;

(F) conduct, at least once every 3 years, periodic nationwide tests of the public alert and warning system; and

(G) ensure that the public alert and warning system is resilient, secure, and can withstand acts of terrorism and other external attacks.

(3) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

(A) incorporate multiple communications technologies;

(B) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(C) to the extent technically feasible, be designed to provide alerts to the largest portion of the affected population, including nonresident visitors and tourists and individuals with disabilities and access and functional needs, and improve the ability of remote areas to receive alerts;

(D) promote local and regional public and private partnerships to enhance community preparedness and response;

(E) provide redundant alert mechanisms if practicable so as to reach the greatest number of people regardless of whether they have access to, or utilize, any specific medium of communication or any particular device; and

(F) include a mechanism to ensure the protection of individual privacy.

(4) **IMPLEMENTATION PLAN.**—Not later than 180 days after the date of submission of the report of the Integrated Public Alert and Warning System Advisory Committee, the Administrator shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a detailed plan to implement the public alert and warning system. The plan shall include a timeline for implementation, a spending plan, and recommendations for any additional authority that may be necessary to fully implement this subsection.

(5) **MAXIMUM FUNDS.**—The Administrator may use not more than \$13,287,000 of the amount made available pursuant to section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) for each of fiscal years 2012, 2013, and 2014 to carry out the provisions of this section.

(c) **INTEGRATED PUBLIC ALERT AND WARNING SYSTEM ADVISORY COMMITTEE.**—

(1) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall establish an advisory committee to be known as the Integrated Public Alert and Warning System Advisory Committee (in this subsection referred to as the “Advisory Committee”).

(2) **MEMBERSHIP.**—The Advisory Committee shall be composed of the following members (or their designees) to be appointed by the Administrator as soon as practicable after the date of enactment of this Act:

(A) The Chairman of the Federal Communications Commission.

(B) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(C) The Assistant Secretary for Communications and Information of the Department of Commerce.

(D) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers, selected from among individuals nominated by national organizations representing governments and personnel.

(E) Representatives from federally recognized Indian tribes and national Indian organizations.

(F) Individuals who have the requisite technical knowledge and expertise to serve on the Advisory Committee, including representatives of—

- (i) communications service providers;
- (ii) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;
- (iii) third-party service bureaus;
- (iv) the broadcasting industry;
- (v) the national organization representing the licensees and permittees of noncommercial broadcast television stations;
- (vi) the cellular industry;
- (vii) the cable industry;
- (viii) the satellite industry; and
- (ix) national organizations representing individuals with disabilities and access and functional needs and national organizations representing the elderly.

(G) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) **CHAIRPERSON.**—The Administrator shall serve as the Chairperson of the Advisory Committee.

(4) **MEETINGS.**—

(A) **INITIAL MEETING.**—The initial meeting of the Advisory Committee shall take place not later than 120 days after the date of enactment of this Act.

(B) **OTHER MEETINGS.**—After the initial meeting, the Advisory Committee shall meet at the call of the Chairperson.

(C) **NOTICE; OPEN MEETINGS.**—Meetings held by the Advisory Committee shall be duly noticed at least 14 days in advance and shall be open to the public.

(5) **RULES.**—

(A) **QUORUM.**—One-third of the members of the Advisory Committee shall constitute a quorum for conducting business of the Advisory Committee.

(B) **SUBCOMMITTEES.**—To assist the Advisory Committee in carrying out its functions, the Chairperson may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts as the Chairperson considers necessary.

(C) **ADDITIONAL RULES.**—The Advisory Committee may adopt such other rules as are necessary to carry out its duties.

(6) **CONSULTATION WITH NONMEMBERS.**—The Advisory Committee and the program offices for the integrated public alert and warning system for the United States shall regularly meet with groups that are not represented on the Advisory Committee to consider new and developing technologies that may be beneficial to the public alert and warning system. Such groups may include—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(7) **RECOMMENDATIONS.**—The Advisory Committee shall develop recommendations for an integrated public alert and warning system, including—

(A) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(B) recommendations to provide for a public alert and warning system that—

- (i) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;
- (ii) has the capability to alert and warn individuals with disabilities and individuals with limited English proficiency;
- (iii) incorporates multiple communications technologies;
- (iv) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;
- (v) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;
- (vi) promotes local and regional public and private partnerships to enhance community preparedness and response; and
- (vii) provides redundant alert mechanisms if practicable in order to reach the greatest number of people regardless of whether they have access to, or utilize, any specific medium of communication or any particular device.

(8) **INITIAL AND ANNUAL REPORT.**—Not later than 1 year after the date of enactment of this Act, the Advisory Committee shall submit to the Administrator, the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing the recommendations of the Advisory Committee.

(9) **FEDERAL ADVISORY COMMITTEE ACT.**—Neither the Federal Advisory Committee Act (5 U.S.C. App.) nor any rule, order, or regulation promulgated under that Act shall apply to the Advisory Committee.

(10) **TERMINATION.**—The Advisory Committee shall terminate not later than 3 years after the date of enactment of this Act.

(d) **LIMITATION ON STATUTORY CONSTRUCTION.**—Nothing in this section shall be construed to affect the authority of the Department of Commerce or the Federal Communications Commission.

## TITLE II—STAFFORD ACT AND OTHER PROGRAMS

### SEC. 201. REAUTHORIZATION OF URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

(a) **IN GENERAL.**—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

#### “SEC. 327. NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

“(a) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) **AGENCY.**—The term ‘Agency’ means the Federal Emergency Management Agency.

“(3) **HAZARD.**—The term ‘hazard’ has the meaning given that term by section 602.

“(4) **NON-EMPLOYEE SYSTEM MEMBER.**—The term ‘non-employee System member’ means a System member not employed by a sponsoring agency or participating agency.

“(5) **PARTICIPATING AGENCY.**—The term ‘participating agency’ means a State or local government, nonprofit organization, or private organization that has executed an agreement with a sponsoring agency to participate in the System.

“(6) **SPONSORING AGENCY.**—The term ‘sponsoring agency’ means a State or local government that is the sponsor of a task force designated by the Administrator to participate in the System.

“(7) **SYSTEM.**—The term ‘System’ means the National Urban Search and Rescue Response System to be administered under this section.

“(8) **SYSTEM MEMBER.**—The term ‘System member’ means an individual who is not a full-time employee of the Federal Government and who serves on a task force or on a System management or other technical team.

“(9) **TASK FORCE.**—The term ‘task force’ means an urban search and rescue team designated by the Administrator to participate in the System.

“(b) **GENERAL AUTHORITY.**—Subject to the requirements of this section, the Administrator shall continue to administer the emergency response system known as the National Urban Search and Rescue Response System.

“(c) **FUNCTIONS.**—In administering the System, the Administrator shall provide for a national network of standardized search and rescue resources to assist States and local governments in responding to hazards.

“(d) **TASK FORCES.**—

“(1) **DESIGNATION.**—The Administrator shall designate task forces to participate in the System. The Administrator shall determine the criteria for such participation.

“(2) **SPONSORING AGENCIES.**—Each task force shall have a sponsoring agency. The Administrator shall enter into an agreement with the sponsoring agency with respect to the participation of each task force in the System.

“(3) **COMPOSITION.**—

“(A) **PARTICIPATING AGENCIES.**—A task force may include, at the discretion of the

sponsoring agency, 1 or more participating agencies. The sponsoring agency shall enter into an agreement with each participating agency of the task force with respect to the participation of the participating agency on the task force.

“(B) OTHER INDIVIDUALS.—A task force may also include, at the discretion of the sponsoring agency, other individuals not otherwise associated with the sponsoring agency or a participating agency of the task force. The sponsoring agency of a task force may enter into a separate agreement with each such individual with respect to the participation of the individual on the task force.

“(e) MANAGEMENT AND TECHNICAL TEAMS.—The Administrator shall maintain such management teams and other technical teams as the Administrator determines are necessary to administer the System.

“(f) APPOINTMENT OF SYSTEM MEMBERS INTO FEDERAL SERVICE.—

“(1) IN GENERAL.—The Administrator may appoint a System member into Federal service for a period of service to provide for the participation of the System member in exercises, preincident staging, major disaster and emergency response activities, and training events sponsored or sanctioned by the Administrator.

“(2) NONAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Administrator may make appointments under paragraph (1) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

“(3) RELATIONSHIP TO OTHER AUTHORITIES.—The authority of the Administrator to make appointments under this subsection shall not affect any other authority of the Administrator under this Act.

“(4) LIMITATION.—A System member who is appointed into Federal service under paragraph (1) shall not be considered an employee of the United States for purposes other than those specifically set forth in this section.

“(g) COMPENSATION.—

“(1) PAY OF SYSTEM MEMBERS.—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force—

“(A) to reimburse each employer of a System member on the task force for compensation paid by the employer to the System member for any period during which the System member is appointed into Federal service under subsection (f)(1); and

“(B) to make payments directly to a non-employee System member on the task force for any period during which the non-employee System member is appointed into Federal service under subsection (f)(1).

“(2) REIMBURSEMENT FOR EMPLOYEES FILLING POSITIONS OF SYSTEM MEMBERS.—

“(A) IN GENERAL.—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force to reimburse each employer of a System member on the task force for compensation paid by the employer to an employee filling a position normally filled by the System member for any period during which the System member is appointed into Federal service under subsection (f)(1).

“(B) LIMITATION.—Costs incurred by an employer shall be eligible for reimbursement under subparagraph (A) only to the extent that the costs are in excess of the costs that would have been incurred by the employer had the System member not been appointed into Federal service under subsection (f)(1).

“(3) METHOD OF PAYMENT.—A System member shall not be entitled to pay directly from the Agency for a period during which the System member is appointed into Federal service under subsection (f)(1).

“(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR DEATH.—

“(1) IN GENERAL.—A System member who is appointed into Federal service under subsection (f)(1) and who suffers personal injury, illness, disability, or death as a result of a personal injury sustained while acting in the scope of such appointment shall, for the purposes of subchapter I of chapter 81 of title 5, United States Code, be treated as though the member were an employee (as defined by section 8101 of that title) who had sustained the injury in the performance of duty.

“(2) ELECTION OF BENEFITS.—

“(A) IN GENERAL.—If a System member (or, in the case of the death of the System member, the System member's dependent) is entitled—

“(i) under paragraph (1) to receive benefits under subchapter I of chapter 81 of title 5, United States Code, by reason of personal injury, illness, disability, or death, and

“(ii) to receive benefits from a State or local government by reason of the same personal injury, illness, disability, or death, the System member or dependent shall elect to receive either the benefits referred to in clause (i) or (ii).

“(B) DEADLINE.—A System member or dependent shall make an election of benefits under subparagraph (A) not later than 1 year after the date of the personal injury, illness, disability, or death that is the reason for the benefits or until such later date as the Secretary of Labor may allow for reasonable cause shown.

“(C) EFFECT OF ELECTION.—An election of benefits made under this paragraph is irrevocable unless otherwise provided by law.

“(3) REIMBURSEMENT FOR STATE OR LOCAL BENEFITS.—Subject to such terms and conditions as the Administrator may impose by regulation, in the event that a System member or dependent elects benefits from a State or local government under paragraph (2)(A), the Administrator shall reimburse the State or local government for the value of those benefits.

“(i) LIABILITY.—A System member appointed into Federal service under subsection (f)(1), while acting within the scope of the appointment, is deemed an employee of the Government under section 1346(b) of title 28, United States Code, and chapter 171 of that title, relating to tort claims procedure.

“(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—With respect to a System member who is not a regular full-time employee of a sponsoring agency or participating agency, the following terms and conditions apply:

“(1) Service as a System member is deemed ‘service in the uniformed services’ for purposes of chapter 43 of title 38, United States Code, relating to employment and reemployment rights of individuals who have performed service in the uniformed services (regardless of whether the individual receives compensation for such participation). All rights and obligations of such persons and procedures for assistance, enforcement, and investigation shall be as provided for in such chapter.

“(2) Preclusion of giving notice of service by necessity of appointment under this section is deemed preclusion by ‘military necessity’ for purposes of section 4312(b) of title 38, United States Code, pertaining to giving notice of absence from a position of employment. A determination of such necessity shall be made by the Administrator and shall not be subject to judicial review.

“(k) LICENSES AND PERMITS.—If a System member holds a valid license, certificate, or other permit issued by any State or other governmental jurisdiction evidencing the member's qualifications in any professional, mechanical, or other skill or type of assist-

ance required by the System, the System member is deemed to be performing a Federal activity when rendering aid involving such skill or assistance during a period of appointment into Federal service under subsection (f)(1).

“(l) ADVISORY COMMITTEE.—

“(1) IN GENERAL.—The Administrator shall establish and maintain an advisory committee to provide expert recommendations to the Administrator in order to assist the Administrator in administering the System.

“(2) COMPOSITION.—The advisory committee shall be composed of members from geographically diverse areas, and shall include—

“(A) the chief officer or senior executive from at least 3 sponsoring agencies;

“(B) the senior emergency manager from at least 2 States that include sponsoring agencies; and

“(C) at least 1 representative recommended by the leaders of the task forces.

“(3) INAPPLICABILITY OF TERMINATION REQUIREMENT.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory committee under this subsection.

“(m) PREPAREDNESS COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Administrator shall enter into an annual preparedness cooperative agreement with each sponsoring agency. Amounts made available to a sponsoring agency under such a preparedness cooperative agreement shall be for the following purposes:

“(A) Training and exercises, including training and exercises with other Federal, State, and local government response entities.

“(B) Acquisition and maintenance of equipment, including interoperable communications and personal protective equipment.

“(C) Medical monitoring required for responder safety and health in anticipation of and following a major disaster, emergency, or other hazard, as determined by the Administrator.

“(2) AVAILABILITY OF APPROPRIATIONS.—Notwithstanding section 1552(b) of title 31, United States Code, amounts made available for cooperative agreements under this subsection that are not expended shall be deposited in an Agency account and shall remain available for such agreements without fiscal year limitation.

“(n) RESPONSE COOPERATIVE AGREEMENTS.—The Administrator shall enter into a response cooperative agreement with each sponsoring agency, as appropriate, under which the Administrator agrees to reimburse the sponsoring agency for costs incurred by the sponsoring agency in responding to a major disaster or emergency.

“(o) OBLIGATIONS.—The Administrator may incur all necessary obligations consistent with this section in order to ensure the effectiveness of the System.

“(p) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the System and the provisions of this section \$35,250,000 for each of fiscal years 2012, 2013, and 2014.

“(2) ADMINISTRATIVE EXPENSES.—The Administrator may use not to exceed 6 percent of the funds appropriated for a fiscal year pursuant to paragraph (1) for salaries, expenses, and other administrative costs incurred by the Administrator in carrying out this section.”

(b) CONFORMING AMENDMENTS.—

(1) APPLICABILITY OF TITLE 5, UNITED STATES CODE.—Section 8101(1) of title 5, United States Code, is amended—

(A) in subparagraph (D) by striking “and” at the end;

(B) by moving subparagraph (F) to appear after subparagraph (E);

(C) in subparagraph (F)—

(i) by striking “United States Code,”; and

(ii) by adding “and” at the end; and

(D) by inserting after subparagraph (F) the following:

“(G) an individual who is a System member of the National Urban Search and Rescue Response System during a period of appointment into Federal service pursuant to section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;”

(2) INCLUSION AS PART OF UNIFORMED SERVICES FOR PURPOSES OF USERRA.—Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13) by inserting “, a period for which a System member of the National Urban Search and Rescue Response System is absent from a position of employment due to an appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act” before “, and a period”; and

(B) in paragraph (16) by inserting after “Public Health Service,” the following: “System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”

#### SEC. 202. REAUTHORIZATION OF EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.

(a) IN GENERAL.—Subtitle A of title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196 et seq.) is amended by adding at the end the following:

##### “SEC. 617. EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.

“(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may make grants to provide for implementation of the Emergency Management Assistance Compact consented to by Congress in the joint resolution entitled ‘Joint resolution granting the consent of Congress to the Emergency Management Assistance Compact’ (Public Law 104-321; 110 Stat. 3877).

“(b) ELIGIBLE GRANT RECIPIENTS.—States and the Administrator of the Emergency Management Assistance Compact shall be eligible to receive grants under subsection (a).

“(c) USE OF FUNDS.—A grant received under this section shall be used—

“(1) to carry out recommendations identified in the Emergency Management Assistance Compact after-action reports for the 2004 and 2005 hurricane seasons;

“(2) to administer compact operations on behalf of States, as such term is defined in the compact, that have enacted the compact;

“(3) to continue coordination with the Federal Emergency Management Agency and appropriate Federal agencies;

“(4) to continue coordination with States and local governments and their respective national organizations; and

“(5) to assist State and local governments, emergency response providers, and organizations representing such providers with credentialing the providers and the typing of emergency response resources.

“(d) COORDINATION.—The Administrator of the Federal Emergency Management Agency shall consult with the Administrator of the Emergency Management Assistance Compact to ensure effective coordination of efforts in responding to requests for assistance.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of the fiscal years 2012, 2013, and 2014. Such sums shall remain available until expended.”

(b) REPEAL.—Section 661 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 761) is repealed.

#### SEC. 203. DISPOSAL OF EXCESS PROPERTY TO ASSIST OTHER DISASTER SURVIVORS.

Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended by this Act is further amended by adding at the end the following:

##### “SEC. 328. DISPOSAL OF EXCESS MATERIALS, SUPPLIES, AND EQUIPMENT.

“(a) IN GENERAL.—Notwithstanding any other provision of law, if the President determines that materials, supplies, or equipment acquired by the President pursuant to title IV or V for response or recovery efforts in connection with a major disaster or emergency are in excess of the amount needed for those efforts, the President may transfer the excess materials, supplies, or equipment directly to a State, local government, or relief or disaster assistance organization for the purpose of—

“(1) assisting disaster survivors in other major disasters and emergencies; and

“(2) assisting survivors in incidents caused by a hazard that do not result in a declaration of a major disaster or emergency if the Governor of the affected State certifies that—

“(A) there is an urgent need for the materials, supplies, or equipment; and

“(B) the State is unable to provide the materials, supplies, or equipment in a timely manner.

“(b) HAZARD DEFINED.—In this section, the term ‘hazard’ has the meaning given that term by section 602.”

#### SEC. 204. STORAGE, SALE, TRANSFER, AND DISPOSAL OF HOUSING UNITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of FEMA.

(2) EMERGENCY; MAJOR DISASTER.—The terms “emergency” and “major disaster” have the meanings given such terms in section 102 of the Stafford Act (42 U.S.C. 5122).

(3) FEMA.—The term “FEMA” means the Federal Emergency Management Agency.

(4) HAZARD.—The term “hazard” has the meaning given such term in section 602 of the Stafford Act (42 U.S.C. 5195a).

(5) STAFFORD ACT.—The term “Stafford Act” means the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(b) NEEDS ASSESSMENT; ESTABLISHMENT OF CRITERIA.—Not later than 90 days after the date of enactment of this Act, the Administrator shall complete an assessment to determine the number of temporary housing units that FEMA needs to maintain in stock to respond appropriately to emergencies or major disasters occurring after the date of enactment of this Act.

(c) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a plan and guidelines for—

(A) storing the number of temporary housing units that FEMA needs to maintain in stock, as determined by the Administrator under subsection (b); and

(B) selling, transferring, donating, or otherwise disposing of the temporary housing units in the inventory of FEMA that are in excess of the number of temporary housing units that FEMA needs to maintain in stock, as determined by the Administrator under subsection (b).

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and annually thereafter, the Administrator shall submit to the Committee on Transportation

and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the actions that the Administrator has taken to establish and implement the plan and guidelines established under paragraph (1).

(B) REQUIRED INFORMATION.—In each report submitted under subparagraph (A), the Administrator shall document the number of temporary housing units remaining in the inventory of FEMA and the number of units sold, transferred, donated, and otherwise disposed of pursuant to this section.

(3) UPDATE.—The Administrator shall update the plan established under paragraph (1) as necessary to ensure that the Administrator maintains in the inventory of FEMA only those temporary housing units that are needed to respond appropriately to emergencies or major disasters.

(d) TRANSFER OF TEMPORARY HOUSING UNITS TO STATES.—

(1) IN GENERAL.—Notwithstanding section 408(d)(2) of the Stafford Act (42 U.S.C. 5174(d)(2)), and subject to the requirements of paragraph (2), the Administrator may transfer or donate to States, on a priority basis, pursuant to subsection (c)(1)(B), excess temporary housing units in the inventory of FEMA.

(2) STATE REQUESTS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, a State may submit to the Administrator a request to receive excess temporary housing units under paragraph (1).

(B) ELIGIBILITY.—A State shall be eligible to receive excess temporary housing units under paragraph (1) if the State agrees—

(i) to use the units to provide temporary housing to survivors of incidents that are caused by hazards and that the Governor of the State determines require State assistance;

(ii) to pay to store and maintain the units; (iii) in the event of a major disaster or emergency declared for the State by the President under the Stafford Act, to make the units available to the President or to use the units to provide housing directly to survivors of the major disaster or emergency in the State;

(iv) to comply with the nondiscrimination provisions of section 308 of the Stafford Act (42 U.S.C. 5151); and

(v) to obtain and maintain hazard and flood insurance on the units.

(C) INCIDENTS.—The incidents referred to in subparagraph (B)(i) may include incidents that do not result in a declaration of a major disaster or emergency by the President under the Stafford Act.

(3) DISTRIBUTION.—

(A) ESTABLISHMENT OF PROCESS.—The Administrator shall establish a process—

(i) to review requests submitted by States under paragraph (2); and

(ii) to distribute excess temporary housing units that are in the inventory of FEMA.

(B) ALLOCATION.—If the number of temporary housing units requested by States under paragraph (2) exceeds the number of excess temporary housing units available, the Administrator shall allocate the available units among the States that have submitted a request.

(4) REMAINING TEMPORARY HOUSING UNITS.—Temporary housing units that are not transferred or donated under paragraph (1) shall be sold, transferred, donated, or otherwise disposed of subject to the requirements of section 408(d)(2) of the Stafford Act (42 U.S.C. 5174(d)(2)) and other applicable provisions of law.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect section 689k of the Post-

Katrina Emergency Management Reform Act of 2006 (120 Stat. 1456). For purposes of that section, a transfer or donation to a State of a temporary housing unit under paragraph (1) shall be treated as a disposal to house individuals or households under section 408 of the Stafford Act (42 U.S.C. 5174).

#### SEC. 205. OTHER METHODS OF DISPOSAL.

Section 408(d)(2)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(d)(2)(B)) is amended—

- (1) in clause (i) by striking “or”;
- (2) in clause (ii) by striking the period at the end and inserting “; or”;
- (3) by adding at the end the following:
  - “(iii) may be sold, transferred, or donated directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in disasters and incidents caused by a hazard (as such term is defined in section 602) that do not result in a declaration of a major disaster or emergency if, as a condition of the sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees—

“(I) to comply with the nondiscrimination provisions of section 308; and

“(II) to obtain and maintain hazard and flood insurance for the housing units.”.

#### SEC. 206. ESTABLISHMENT OF CRITERIA RELATING TO ADMINISTRATION OF HAZARD MITIGATION ASSISTANCE BY STATES.

Not later than 180 days after the date of enactment of this Act, the President shall establish the criteria required under section 404(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170(c)(2)).

#### SEC. 207. REVIEW OF REGULATIONS AND POLICIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall review regulations and policies relating to Federal disaster assistance to eliminate regulations the President determines are no longer relevant, to harmonize contradictory regulations, and to simplify and expedite disaster recovery and assistance.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the President shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report describing changes made to regulations as a result of the review required under subsection (a), together with any legislative recommendations relating thereto.

(c) STATE HAZARD MITIGATION PLANS.—The President, acting through the Administrator, shall revise regulations related to the submission of State Hazard Mitigation Plans to extend the hazard mitigation planning cycle to every 5 years, consistent with local planning cycles.

#### SEC. 208. APPEALS PROCESS.

Section 423(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189a(b)) is amended to read as follows:

“(b) PERIOD FOR DECISION.—

“(1) IN GENERAL.—A decision regarding an appeal under subsection (a) shall be rendered within 60 days after the date on which the Federal official designated to administer such appeal receives notice of such appeal.

“(2) FAILURE TO SATISFY DEADLINE.—If the Federal official fails to satisfy the requirement under paragraph (1), the Federal official shall provide a written explanation of

such failure to the applicant. The President, acting through the Administrator of the Federal Emergency Management Agency, shall transmit quarterly to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on such failures.”.

#### SEC. 209. IMPLEMENTATION OF COST ESTIMATION.

Not later than 180 days after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall issue and begin to implement the regulations required by section 406(e)(3)(C) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(3)(C)) to provide for cost estimation procedures that expedite recovery and to reduce the costs and time for completion of recovery projects through the creation of financial and performance incentives.

#### SEC. 210. TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT.

(a) MAJOR DISASTER REQUESTS.—Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended—

(1) by striking “All requests for a declaration” and inserting “(a) IN GENERAL.—All requests for a declaration”; and

(2) by adding at the end the following:

“(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

“(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or section 319 to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

“(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIBAL GOVERNMENTS.—

“(1) IN GENERAL.—In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if—

“(A) the President has the authority to waive or adjust the payment under another provision of this title; and

“(B) the President determines that the waiver or adjustment is necessary and appropriate.

“(2) CRITERIA FOR MAKING DETERMINATIONS.—The President shall establish criteria for making determinations under paragraph (1)(B).”.

(b) EMERGENCY REQUESTS.—Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:

“(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

“(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists con-

sistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or section 319 to a State or the Governor of a State shall be deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.”.

(c) DEFINITIONS.—Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (7)(B) by striking “; and” and inserting “, that is not an Indian tribal government as defined in paragraph (6); and”;

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

“(6) INDIAN TRIBAL GOVERNMENT.—The term ‘Indian tribal government’ means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.);”;

(4) by adding at the end the following:

“(12) CHIEF EXECUTIVE.—The term ‘Chief Executive’ means the person who is recognized by the Secretary of the Interior as the chief elected administrative officer of an Indian tribal government.”.

(d) REFERENCES.—Title I of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following: “SEC. 103. REFERENCES.

“Except as otherwise specifically provided, any reference in this Act to ‘State and local’, ‘State or local’, or ‘State, local’ with respect to governments or officials and any reference to a ‘local government’ in section 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.”.

(e) REGULATIONS.—

(1) ISSUANCE.—The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS.—In issuing the regulations, the President shall consider the unique conditions that affect the general welfare of Indian tribal governments.

#### SEC. 211. INDIVIDUAL ASSISTANCE FACTORS.

In order to provide more objective criteria for evaluating the need for assistance to individuals and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in cooperation with representatives of State, tribal, and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48 of title 44, Code of Federal Regulations (including section 206.48(b)(2) of such title relating to trauma and the specific conditions or losses that contribute to trauma), to measure the severity, magnitude, and impact of a disaster.

#### SEC. 212. PUBLIC ASSISTANCE PILOT PROGRAM.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The President, acting through the Administrator of the Federal Emergency Management Agency, and in coordination with States, tribal and local governments, and owners or operators of private non-profit facilities, shall establish and conduct a pilot program to—

(A) reduce the costs to the Government of providing assistance to States, tribal and local governments, and owners or operators of private non-profit facilities under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) (referred to in this section as the “Act”);

(B) increase flexibility in the administration of section 406 of such Act; and

(C) expedite the provision of assistance to States, tribal, and local governments provided under section 406 of the Act.

(2) PARTICIPATION.—Only States, tribal and local governments, and owners or operators of private non-profit facilities that elect to participate in the pilot program may participate in the pilot program for their projects.

(3) ADMINISTRATION.—

(A) IN GENERAL.—For the purposes of the pilot program, the Administrator shall establish new procedures to administer assistance provided under section 406 of the Act.

(B) NEW PROCEDURES.—The new procedures established under subparagraph (A) shall include—

(i) making grants on the basis of estimates agreed to by the State, tribal, or local government, or owner or operator of a private non-profit facility and the Administrator to provide financial incentives and disincentives for the State, tribal, or local government, or owner or operator of a private non-profit facility for the timely and cost-effective completion of projects under section 406 of the Act;

(ii) notwithstanding sections 406(c)(1)(A) and 406(c)(2)(A) of the Act, providing an option for a State, tribal, or local government, or owner or operator of a private non-profit facility to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State, tribal, or local government and of management expenses;

(iii) consolidating, to the extent determined appropriate by the Administrator, the facilities of a State, tribal, or local government, or owner or operator of a private non-profit facility as a single project based upon the estimates established under the pilot procedures; and

(iv) notwithstanding any other provision of law, if the actual costs of a project completed under the pilot procedures are less than the estimated costs thereof, the Administrator may permit a grantee or sub grantee to use all or part of the excess funds for cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster.

(4) WAIVER.—The Administrator may waive such regulations or rules applicable to the provisions of assistance in section 406 of the Act as the Administrator determines are necessary to carry out the pilot program under this section.

(b) REPORT.—

(1) IN GENERAL.—Not later than October 31, 2015, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the effectiveness of the pilot program under this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) an assessment by the Administrator of any administrative or financial benefits of the pilot program;

(B) an assessment by the Administrator of the effect, including any savings in time and cost, of the pilot program;

(C) any other findings and conclusions of the Administrator with respect to the pilot program; and

(D) any recommendations of the Administrator for additional authority to continue or make permanent the pilot program.

(c) DEADLINE FOR INITIATION OF IMPLEMENTATION.—Not later than 90 days after the date of enactment of this Act, the Administrator shall begin implementation of the pilot program under this section.

(d) PILOT PROGRAM DURATION.—The Administrator may not approve a project under the pilot program under this section after December 31, 2014.

#### SEC. 213. PUBLIC ASSISTANCE DEBRIS REMOVAL PROCEDURES.

(a) IN GENERAL.—The President, acting through the Administrator of the Federal Emergency Management Agency, shall establish new procedures to administer assistance for debris and wreckage removal provided under sections 403(a)(3)(A), 407, and 502(a)(5) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)(A), 5173, and 5192(a)(5)).

(b) NEW PROCEDURES.—The new procedures established under subsection (a) may include—

(1) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost effective completion of projects under sections 403(a)(3)(A), 407, and 502(a)(5) of such Act if the State, tribal, or local government, or owner or operator of the private non-profit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

(2) using a sliding scale for the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;

(3) allowing utilization of program income from recycled debris without offset to grant amount;

(4) reimbursing base and overtime wages for employees and extra hires of a State, tribal, or local government, or owner or operator of a private non-profit facility performing or administering debris and wreckage removal; and

(5) notwithstanding any other provision of law, if the actual costs of projects under subsection (b)(1) are less than the estimated costs thereof, the Administrator may permit a grantee or sub grantee to use all or part of the excess funds for any of the following purposes:

(A) Debris management planning.

(B) Acquisition of debris management equipment for current or future use.

(C) Other activities to improve future debris removal operations, as determined by the Administrator.

#### SEC. 214. USE OF FUNDS.

Unless otherwise specified in this Act, the Administrator of the Federal Emergency Management Agency shall use amounts authorized pursuant to section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) for reviews, reports, and studies included in this Act.

#### SEC. 215. REDUCTION OF AUTHORIZATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANTS.

Section 662(f)(5) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 762) is amended by striking “\$950,000,000” and inserting “\$946,600,000”.

#### SEC. 216. TECHNICAL CORRECTION.

Section 202(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance

Act (42 U.S.C. 5132(c)) is amended by striking “section 611(c)” and inserting “section 611(d)”.

#### SEC. 217. NATIONAL DAM SAFETY PROGRAM ACT REAUTHORIZATION.

(a) SHORT TITLE.—This section may be cited as the “Dam Safety Act of 2012”.

(b) PURPOSE.—The purpose of this section is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of Federal and non-Federal communities in achieving national dam safety hazard reduction.

(c) AMENDMENTS TO THE NATIONAL DAM SAFETY PROGRAM ACT.—

(1) ADMINISTRATOR.—

(A) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator”.

(B) CONFORMING AMENDMENT.—Section 2(3) of such Act (33 U.S.C. 467(3)) is amended in the paragraph heading by striking “DIRECTOR” and inserting “ADMINISTRATOR”.

(2) INSPECTION OF DAMS.—Section 3(b)(1) of such Act (33 U.S.C. 467a(b)(1)) is amended by striking “or maintenance” and inserting “maintenance, condition, or provision for emergency operations”.

(3) NATIONAL DAM SAFETY PROGRAM.—

(A) OBJECTIVES.—Section 8(c)(4) of such Act (33 U.S.C. 467f(c)(4)) is amended to read as follows:

“(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in mitigating against, preparing for, responding to, and recovering from dam incidents;”.

(B) BOARD.—Section 8(f)(4) of such Act (33 U.S.C. 467f(f)(4)) is amended by inserting “, representatives from nongovernmental organizations,” after “State agencies”.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) NATIONAL DAM SAFETY PROGRAM.—

(i) ANNUAL AMOUNTS.—Section 13(a)(1) of such Act (33 U.S.C. 467j(a)(1)) is amended by striking “\$6,500,000 for fiscal year 2007, \$7,100,000 for fiscal year 2008, \$7,600,000 for fiscal year 2009, \$8,300,000 for fiscal year 2010, and \$9,200,000 for fiscal year 2011” and inserting “\$8,024,000 for each of fiscal years 2012 through 2015”.

(ii) MAXIMUM AMOUNT OF ALLOCATION.—

(I) IN GENERAL.—Section 13(a)(2)(B) of such Act (33 U.S.C. 467j(a)(2)(B)) is amended by striking “50 percent of the reasonable cost of implementing the State dam safety program” and inserting “the amount of funds committed by the State to implement dam safety program activities”.

(II) APPLICABILITY.—The amendment made by subclause (I) shall apply to fiscal year 2013 and each fiscal year thereafter.

(B) NATIONAL DAM INVENTORY.—Section 13(b) of such Act (33 U.S.C. 467j(b)) is amended by striking “\$650,000 for fiscal year 2007, \$700,000 for fiscal year 2008, \$750,000 for fiscal year 2009, \$800,000 for fiscal year 2010, and \$850,000 for fiscal year 2011” and inserting “\$383,000 for each of fiscal years 2012 through 2015”.

(C) RESEARCH.—Section 13(c) of such Act (33 U.S.C. 467j(c)) is amended by striking “\$1,600,000 for fiscal year 2007, \$1,700,000 for fiscal year 2008, \$1,800,000 for fiscal year 2009, \$1,900,000 for fiscal year 2010, and \$2,000,000 for fiscal year 2011” and inserting “\$1,000,000 for each of fiscal years 2012 through 2015”.

(D) DAM SAFETY TRAINING.—Section 13(d) of such Act (33 U.S.C. 467j(d)) is amended by striking “\$550,000 for fiscal year 2007, \$600,000 for fiscal year 2008, \$650,000 for fiscal year 2009, \$700,000 for fiscal year 2010, and \$750,000 for fiscal year 2011” and inserting “\$750,000 for each of fiscal years 2012 through 2015”.

(E) STAFF.—Section 13(e) of such Act (33 U.S.C. 467j(e)) is amended by striking “\$700,000 for fiscal year 2007, \$800,000 for fiscal year 2008, \$900,000 for fiscal year 2009, \$1,000,000 for fiscal year 2010, and \$1,100,000 for fiscal year 2011” and inserting “\$436,000 for each of fiscal years 2012 through 2015”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2903, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1710

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2903, the FEMA Reauthorization Act, would reauthorize FEMA and make important reforms that will save money and speed up disaster recovery. It keeps FEMA funding at current levels and fully complies with House budget rules, and it includes bipartisan provisions passed by the House last Congress. This legislation is the product of key Members working together to produce real reforms.

First, let me thank Chairman JOHN MICA, the chairman of the Transportation and Infrastructure Committee, for his strong leadership and work on this legislation.

I also want to thank Ranking Member NORTON, of the subcommittee, for her help in drafting legislation that protects our first responders, incorporates real reforms, and strengthens our emergency management capability.

The legislation also incorporates a top priority of the ranking member's of the full committee, Mr. RAHALL's, which enables Indian tribes to request disaster declarations—provisions I support. I thank him for his work on these important provisions.

I also want to thank Chairman KING of the Committee on Homeland Security and to thank Chairman BILIRAKIS of the Subcommittee on Emergency Preparedness, Response, and Communications for their leadership and working with us on the integrated public alert and warning system provisions of the bill. I look forward to working with the Committee on Homeland Security on other important issues.

Finally, I want to thank the gentlemen from New York and Missouri, Mr. HANNA and Mr. CARNAHAN, for their work and leadership on reauthorizing the National Dam Safety Program included in this bill.

I am also pleased that this legislation has wide support from key stakeholders representing first responders, State and local officials, tribal communities, and the private sector.

We have received letters endorsing provisions in this bill from the National Emergency Management Association, the International Association of Emergency Managers, the National Alliance of State Broadcasting Associations, the National Association of Broadcasters, the National Association of Counties, the Association of State Dam Safety Officials, the Disaster Recovery Contractors Association, the National Task Force Representative for the 28 sponsoring agencies of Urban Search and Rescue Task Forces, and tribal communities around the Nation.

The Transportation and Infrastructure Committee has a long tradition of approaching FEMA and emergency management issues in a bipartisan manner. Disasters don't follow political boundaries, and ensuring we are prepared is critical to our Nation. From major hurricanes to floods, earthquakes, tornadoes, wildfires, nuclear accidents, and terrorist attacks, the costs of disasters can be significant, not just in terms of economic costs, but in the devastation to lives, homes, and communities. A good response to a disaster is critical to saving lives and minimizing damage, but recovering from such devastation is the key to rebuilding local economies and in helping people put their lives back together.

After Hurricane Katrina, Congress authorized FEMA for the first time and fundamentally reformed the Nation's disaster response system. Congress rebuilt FEMA and strengthened disaster response capabilities. We created a National Preparedness System so that States and the Federal Government will have the plans and resources in place before disaster strikes. But, as the reconstruction from Hurricane Katrina dragged on and on, it became apparent Congress needed to streamline the disaster recovery programs so communities can rebuild faster and for less money. The longer it takes to rebuild basic infrastructure after a disaster, the longer it takes for a local economy and tax base to recover and the more it costs Federal taxpayers.

The FEMA Reauthorization Act includes key reforms to save money by cutting through costly and bureaucratic red tape and speeding up reconstruction. For example, at one of our subcommittee hearings last year, the inspector general's office testified that, if FEMA just implemented the cost estimating provisions of the Disaster Mitigation Act, recovery could be sped up significantly and costs minimized.

H.R. 2903 sets deadlines for FEMA to finally implement these commonsense provisions, and it makes other changes that will save taxpayers money. This bill also would make other important

reforms, including setting a clear framework for the development of the Integrated Public Alert and Warning System, the IPAWS system, to ensure money is not wasted.

At the committee's request, the GAO issued a report in 2009 detailing the key problems with FEMA's development of IPAWS. We also heard from many stakeholders, including the elderly, people with disabilities, as well as from industries like the commercial broadcasters and wireless industry, that FEMA was not giving them a seat at the table as FEMA modernized the system.

H.R. 2903 sets a clear framework and deadlines to ensure key stakeholders are a part of FEMA's modernization of the system. This will be critical in ensuring there are effective alerts and warnings to the public. In addition to these commonsense reforms, this reauthorizes FEMA's overall management budget, the Urban Search and Rescue System, and the Emergency Management Assistance Compact.

This legislation will save lives, save money, and help communities that have been devastated by disasters to recover and rebuild faster. I urge my colleagues to support H.R. 2903, as amended.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,

Washington, DC, September 17, 2012.

Hon. JOHN L. MICA,  
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 2903, the FEMA Reauthorization Act of 2011, which was ordered to be reported by voice vote as amended by the Committee on Transportation and Infrastructure on March 8, 2012 and sequentially referred to the Committee on Homeland Security on September 17, 2012.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 2903 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. In addition, I would like to thank you for working with me on modifying H.R. 2903 to include provisions that were within Chairman Bilirakis' bill, H.R. 3563, the Integrated Public Alert and Warning System Modernization Act of 2011. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this letter and your response be included during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,  
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, September 18, 2012.

Hon. PETER T. KING

*Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding the H.R. 2903, the FEMA Reauthorization Act of 2011. I appreciate your willingness to support expediting floor consideration of this legislation.

I understand and agree that your willingness to forgo further consideration of the bill is without prejudice to your Committee's jurisdictional interest in this or similar legislation. In the event a House-Senate conference is convened on H.R. 2903 or similar legislation, I would support your request to be represented on those provisions over which the Committee on Homeland Security has jurisdiction.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 2903 in the Congressional Record during House floor consideration of the bill.

Sincerely,

JOHN L. MICA,  
*Chairman.*

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the chairman for the bipartisan measures this bill contains, measures like the Integrated Public Alert and Warning System and a number of others.

I rise in support of H.R. 2903. This bipartisan measure reauthorizes the Federal Emergency Management Agency, FEMA; authorizes an Integrated Public Alert and Warning System; and includes many provisions that were incorporated into similar legislation in past Congresses. I am pleased to see them, once again, come to the floor. Perhaps we can get them through the House and the Senate at some point in the near future, because these are not controversial matters.

Despite our broad support for this measure, we are disappointed in the authorized levels of funding for FEMA and the disaster assistance programs. Instead of evaluating the needs of the agency and its programs and then establishing the maximum amounts that would be appropriate, the Transportation and Infrastructure Committee, through this bill, is essentially deferring to the Appropriations Committee to tell the authorizers how to do their jobs by only authorizing amounts equal to the last appropriated amounts.

Let me be clear, however. If we authorized the maximum that could be needed, the budget deficit would not be increased. The amount authorized merely specifies need while only the actual amounts appropriated can affect the amounts spent. It is the authorizers who are to speak to need. It is for the Members who, in fact, decide how to divide the funds, the appropriators, once the need is assessed, to decide how much the country can afford to spend. They need our expert guidance. They don't have it in this bill.

I would also like to call attention to a few important changes included in this legislation:

For example, H.R. 2903 improves many of FEMA's programs and activi-

ties, including codifying the debris removal program. The current debris removal program is based on a pilot program from several years ago. We have heard firsthand from local governments and emergency management professionals about the need to make this successful program—a program that we have already piloted—permanent to help local communities expedite recovery from disasters.

In addition, this bill addresses a long expressed concern of mine about the need to expedite FEMA's appeals process. Without firm timelines, the current appeals process has led to long and unnecessary delays in disaster closeouts. This, in turn, has prevented disaster funds obligated for a specific disaster from being deobligated and returned to the Disaster Relief Fund. Last fall, as the Disaster Relief Fund was on the brink of running out of funds, FEMA was actually able to close out several disaster accounts and find the necessary funds to finance disaster relief until Congress replenished the fund.

□ 1720

Moreover, timely resolution of these appeals will allow these funds to be used for infrastructure repair, which will assist the economic recovery for communities hard hit by disasters.

More than 12 years ago, Congress enacted the Disaster Mitigation Act of 2000, directing FEMA to begin using cost estimating for repair and reconstruction projects to expedite the recovery process and disaster closeout. Yet, today, FEMA still has not promulgated regulations to implement this provision. H.R. 2903 requires FEMA to promulgate these regulations and to implement cost estimating within 180 days of the passage of this act. We mean it this time.

This provision also will eliminate one of the most inefficient and ridiculous uses of Federal funds that I know of, one that has gotten on my last nerve, where FEMA pays not only for its own experts, but also for the States' experts, essentially encouraging the submission of competing estimates of cost repair, instead of each side deciding on a neutral party to, in fact, estimate those costs.

Finally, FEMA Administrator Fugate has requested that I note FEMA's support for section 210 of this bill, which would authorize Indian tribes to directly make a request to the President for a disaster or emergency declaration. This provision acknowledges tribal sovereignty, enhances FEMA's working relationship with the tribal governments, and improves emergency and disaster responsiveness throughout Indian Country. Numerous Indian tribes have expressed support for this provision, as has the National Congress of American Indians.

I want especially to thank the ranking member, Mr. RAHALL, for his leadership on this and other issues in this bill.

Despite my concerns about the authorized amounts in this bill, H.R. 2903 is good public policy and is necessary to eliminate inefficient government actions and to expedite disaster recovery.

Mr. Speaker, I urge my colleagues to join in supporting this bill, and I reserve the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon, chairman of the Subcommittee on Communications and Technology, Mr. WALDEN, for a colloquy.

Mr. WALDEN. I thank the chairman, and I thank my good friend from California for his terrific work on this bipartisan piece of legislation which is very important to the citizens of this country.

I also want to thank you for this colloquy.

I plan to support your bill, obviously. I think it's a good bill. I just want to clarify because I'm concerned that the language in section 102 of the bill could be construed as authorizing the imposition of requirements on the communications sector. Can you assure me that this is not the effect of this language?

Mr. DENHAM. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman.

Mr. DENHAM. This bill in no way authorizes FEMA or anyone else to impose any obligations on any participant in the communications industry. Only the FCC can require a participant in the communications industry to take any action with respect to emergency-related alerts. To make this clear, we agree to add language at a later stage indicating that nothing in this bill requires or allows FEMA or any other government entity to require any action on the part of the FCC, the Department of Commerce, the Office of Energy Communications, or any non-government entity; nor does it have any impact on any existing obligations of these entities.

Mr. WALDEN. I appreciate the gentleman's comments, and I welcome and thank you for them.

Ms. NORTON. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. RICHARDSON).

Ms. RICHARDSON. Mr. Speaker, I want to commend my friend and colleague from California, Chairman DENHAM, as well as Ranking Member NORTON, for bringing this bill forward and for working with me to improve the bill.

I serve in a unique position by serving on both the Transportation and Infrastructure Committee, as well as Homeland Security. Although this may not be the perfect bill, as some have articulated for the record already, I would have preferred, for example, that the bill make more explicit FEMA's authority to respond to acts of terrorism, in addition to natural disasters. Yet I believe it is necessary that we pass this bill today to ensure that the men and women of FEMA have the

resources necessary to respond to emergencies and disasters in the near future.

I rise in support of the bill, specifically to the language that I added to H.R. 2903 in committee, and I believe it's essential to the well-being of the American people. Specifically, my language, which was marked up in the Committee on Transportation and Infrastructure, and accepted with bipartisan approval, would provide a series of checks and balances that keep the American public safe.

First, my language simply would ensure that the Department of Homeland Security coordinates and provides guidance to the appropriate individuals, officials, and organizations for outreach to individuals with disabilities during unforeseen disasters. This simple, straightforward language will help to keep the disabled, who are the most vulnerable and often times experience the greatest challenges during a time of disaster, safe during those disasters, and also from terrorist attacks.

Individuals with disabilities should feel as safe and secure in their communities and their work environments as individuals without disabilities. Too often, however, the needs of people with disabilities are not considered in emergency planning despite the fact that the need for such planning has received an increased focus due to the recent disasters—for example, Hurricane Katrina—both natural and man-made.

FEMA Administrator Craig Fugate has stated that:

At FEMA, we need to do a better job of meeting the needs of people with disabilities when disaster strikes. We have to start by supporting and encouraging our entire emergency management team, including our State and local partners, to integrate the needs of people with disabilities into all planning.

My language strengthens H.R. 2903 by ensuring guidance is given to the individuals with disabilities and facilitates cooperation among Federal, State, territorial, local, and tribal governments, private organizations, and individuals in the implementation of emergency preparedness plans related to individuals with disabilities.

Additionally, I included language that would make sure that the integrated public alert and warning system, IPAWS, is properly performing and that the system needs to be tested regularly. IPAWS is the generation platform for transmitting emergency alerts. I have the experience of representing in my district, the 37th Congressional District, the largest number of Samoans outside of Samoa. If we look at that particular incident, and had we had a better working system similar to what IPAWS will be able to do, I believe many lives would not have been lost.

Mr. Speaker, as you know, in November 2011, FEMA conducted a nationwide test of the emergency alert system for the first time in the system's 50-year existence. The system met with wide-

spread problems. With the ever-changing threat to the environment and technological landscape, we cannot afford to wait 50 years to verify if IPAWS is fully performing. To do so is irresponsible. In the case of EAS tests, significant gaps in the system's ability to provide a nationwide alert were revealed for the first time.

My language seeks to make sure that IPAWS in the future is regularly tested and to encourage the administrator of FEMA to test the system at least once every 3 years.

Mr. Speaker, I believe that the language that I submitted was accepted in a bipartisan way, strengthens this bill, and I encourage my colleagues to support the bill as a whole.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H.R. 2903, the FEMA Reauthorization Act of 2012, and particularly section 102, which authorizes the integrated public alert and warning system.

Section 102 is very similar to H.R. 3563, legislation that I introduced last year to authorize IPAWS, as we call it, which was reported by the Committee on Homeland Security in March. The bill authorizes FEMA's efforts to provide timely emergency alerts and warnings through a range of alerting mechanisms and forms of technology. Emergency management officials, including officials in my home State of Florida, have stressed the value and importance of IPAWS to me personally.

□ 1730

The National Emergency Management Association has publicly supported my IPAWS legislation, and I'm pleased to see they support this bill as well.

The Subcommittee on Emergency Preparedness, Response, and Communications, which I chair, has conducted robust oversight of the IPAWS program during the 112th Congress, having held multiple hearings and a briefing on the topic.

I want to thank Chairman DENHAM for working with me and my staff to incorporate some of the provisions of my bill that were a product of this oversight into the legislation we are considering today, including language related to individuals with disabilities, access and functional needs, language ensuring the protection of individual privacy, and language regarding the resilience of the system.

I'm disappointed, however, that language I suggested to include a specific reference of the system's applicability to acts of terrorism was not incorporated into the bill. However, I look forward to working with Chairman DENHAM and our Senate colleagues as this bill moves through the legislative process to clarify this issue.

I urge my colleagues to join me in supporting this bill.

Ms. NORTON. I appreciate that Chairman DENHAM has brought this FEMA reauthorization bill to the floor.

Mr. Speaker, this bill has now gone over a couple of Congresses. The Democrats didn't get it done, and the Republicans didn't get it done. It's really too important. I hope that in the 113th Congress, this bill can be brought forward early because a lot of very good work has been done on the bill.

Mr. Speaker, I regret that as we sit and think about the 112th Congress, it will be impossible to think of a single major bill passed during these 2 years. In order to pass bills, both Houses have to get together and compromise. That seems to have been impossible, at least for this House.

We are about to leave town in September with a couple of months still to go without the middle class tax cuts just when the recovery needs a boost; in the midst of a drought, without the farm bill; and without the Violence Against Women Act, which passed with an overwhelming bipartisan vote in the Senate. What will it take to get something done? I hope the 113th Congress proves more productive.

This has been called a do-nothing Congress. I would say this Congress has done real harm. To call it a do-nothing Congress is to give it more credit than it deserves.

This is a Congress, at least in the House, that will be remembered for having voted to end Medicare as we know it and increase the cost of healthcare for seniors by \$6,400. The 112th Congress will be remembered, all right, for tax breaks for the wealthy and for corporations that ship jobs overseas.

We, in the 112th Congress, have done something amazing when you consider that we have been in a recession unheard of since the Great Depression. We have left the economy entirely to the Federal Reserve Board, to monetary policy, by abandoning the job of Congress to enact fiscal policy. There has been none in the 112th Congress that has had any effect on the economy.

No wonder. We are here for only 8 days after the August recess. If our Republican majority could have phoned in the CR, I believe they would have done it, if you look at what is on our plate as we get ready to go home.

We are going home in September leaving, unthinkable, even the major business of sequestration, the ultimate bill that was passed to force us to get together and compromise. In leaving sequestration on the table, we are leaving a bill that could collapse the entire economy. It's a fitting end for a Congress that did nothing, but in fact, did harm.

I yield back the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

Let me first start by saying I am proud that we have got another bipartisan bill here that addresses many different areas from FEMA to IPAWS.

Getting the tribal language in here, I think, is not only a good bipartisan effort, but one that the administration is supporting, as well working directly with Director Fugate. I was glad to see the administration put out an email on the tribal language just a little while ago.

Let me respond to the concern that this bill may not allow FEMA to respond to a terrorist attack. It's just not true.

First, the President used the Stafford Act and FEMA to declare a Federal disaster and to respond to every major terrorist attack in this country. There's no question FEMA, the Stafford Act, or this bill fully authorizes the President to direct any element of the Federal Government to respond to a terrorist attack.

Second, one of the most important reforms made by this bill is to remove the liability cloud hanging over our urban search and rescue teams when they're called into Federal service to respond to a disaster.

On September 11, these teams responded to the World Trade Center and the Pentagon. They responded to Hurricane Katrina and even the earthquake in Haiti. Many of these brave first responders are licensed medical professionals or engineers who knowingly put themselves at risk when they are federalized and sent to other States.

The urban search and rescue teams have waited 10 years to remove this cloud over their heads. This bill finally fixes that problem. That's why this bill is supported by the urban search and rescue teams, the International Association of Fire Chiefs, the National Association of Counties, the National Emergency Management Association, and the International Association of Emergency Managers.

They also support this bill and support our first responders. Vote for this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 2903, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5912) to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 5912

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS.

(a) IN GENERAL.—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 95 of such Code is amended by striking the item relating to section 9008.

#### SEC. 2. CONFORMING AMENDMENTS.

(a) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of the Internal Revenue Code of 1986 is amended by striking “, section 9008(b)(3),”.

(b) REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(1) by adding “and” at the end of paragraph (2);

(2) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(3) by striking paragraphs (4), (5), and (6).

(c) PENALTIES.—Section 9012 of such Code is amended—

(1) in subsection (a)(1), by striking the second sentence; and

(2) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(d) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3)”.

#### SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to elections occurring after December 31, 2012.

Amend the title so as to read: “A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5912, which would terminate taxpayer financing of party conventions.

Mr. Speaker, I'm sorry to say that party conventions today are by and large week-long televised movie sets and almost entirely symbolic. Although conventions do provide important insight into party platforms and Presidential candidates, spending millions of taxpayer dollars to fund them, particularly in today's environment, is simply untenable.

American taxpayers should not be subsidizing political party conventions. With our historic levels of deficit spending and our national debt over \$16 trillion and climbing, this Congress and this President need to be thinking very differently about how we use taxpayer dollars.

□ 1740

Since 1976, approximately \$1.5 billion has been spent on publicly funding our Presidential primaries, our Presidential general elections, and our Presidential party conventions. Each party's national convention this year received almost \$18 million in taxpayer funding. While I believe we should be getting rid of public funding of Presidential campaigns as well, at a minimum we should pass this common-sense measure to stop financing our parties with taxpayers' dollars. The American taxpayer has paid enough for this unwise experiment. It should be ended.

Mr. Speaker, this bill, introduced by my colleague from Oklahoma, I would hope would garner overwhelming bipartisan support. I thank him for introducing it and for his commitment to a responsible and efficient stewardship of taxpayer dollars. This should stop funding going to all party conventions. It is a bipartisan solution to a bipartisan problem.

I urge all my colleagues to support H.R. 5912, Mr. Speaker, and I reserve the balance of my time.

Ms. FUDGE. I yield myself such time as I may consume.

I rise today in opposition to H.R. 5912. H.R. 5912 terminates the public financing of nominating conventions. The Presidential Election Campaign Fund was created and designed to restore public confidence in the political process in a post-Watergate world. Since 1976, both parties have requested and received public funds to finance their nominating conventions, including as recently as this year. The aim of H.R. 5912 is to inject more private influence over elections, even though the current level is already appallingly high. This bill turns over another electoral function to private interests. It invites the very corruption the Presidential Election Campaign Fund was created to combat. This system needs to be reformed, not repealed, and we ought to be having a serious debate about the outsized role money plays in our politics.

Because the majority has failed to act, the ranking member of the House Administration Committee, Mr. BRADY of Pennsylvania, was forced to have his own forum on the poisoning effect of money in politics. We have not considered the DISCLOSE Act or any legislation of substance to deal with the secret money influencing our politics. The Voter Empowerment Act was introduced months ago. Yet absolutely nothing has been done to address the threat of millions of voters being disenfranchised this November. Most appalling, Mr. Speaker, is the fact that