

Disaster Recovery Supplemental Appropriations for the Community Development Block Grant program, 1992-2005

Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005 (Public Law 108-324, approved October 13, 2004): Community Development Block Grant funds are "for use only for disaster relief, long-term recovery, and mitigation in communities affected by disasters designated by the President between August 31, 2003 and October 1, 2004, except those activities reimbursable by the Federal Emergency Management Agency or available through the Small Business Administration, and for reimbursement for expenditures incurred from the regular Community Development Block Grant formula allocation used to achieve these same purposes." "[A]t least 50 percent of the funds under this heading must benefit primarily persons of low and moderate income unless the Secretary makes a finding of compelling need." "[A]ny project or activity underway prior to a Presidential disaster declaration may not receive funds under this heading unless the disaster directly impacted the project." "[E]ach state shall provide not less than 10 percent in non-Federal public matching funds or its equivalent value (other than administrative costs) for any funds allocated to the state under this heading." See Federal Register notice.

Public Law 107-38, approved September 18, 2001. The fifth proviso under the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States. The statute makes funds available to New York State for properties and businesses damaged by, and economic revitalization related to, the September 11, 2001, terrorist attacks on New York City.

Public Law 107-73, approved November 26, 2001. Section 434 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002 provides for the use of CDBG funds made available from the Emergency Response Fund the State of New York for assistance for properties and businesses damaged by, and for economic revitalization related to, the September 11, 2001 terrorist attacks on New York City, for the affected area of New York City, and for reimbursement to the State and City of New York for expenditures incurred from the regular Community Development Block Grant formula allocation used to achieve these same purposes. (\$700,000,000 specified by OMB).

Public Law 107-117, approved January 10, 2002. For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, for `Community Development Fund', \$2,000,000,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38: Provided, That such funds shall be subject to the first through sixth provisos in section 434 of Public Law 107-73: Provided further, That the State of New York, in conjunction with the City of New York, shall, through the Lower Manhattan Redevelopment Corporation (`the corporation'): (1) distribute the funds provided for the `Community Development Fund'; (2) within 45 days of enactment of this Act, issue the initial criteria and requirements necessary to accept applications from individuals, nonprofits, and small businesses for economic losses from the September 11, 2001, terrorist attacks; and (3) begin processing such applications: Provided further, That the corporation shall expeditiously respond to any application from an individual, nonprofit, or small business for economic losses under this heading: Provided further, That of the total amount made available for the `Community Development Fund', including amounts previously made available by transfer pursuant to the fifth proviso of Public Law 107-38, no less than \$500,000,000 shall be made available for individuals, nonprofits, or small businesses described in the prior three provisos, with a limit of \$500,000 per small business for economic losses: Provided further, That amounts made available in the previous proviso shall only be available for individuals, nonprofits, or small businesses located in New York City in the area located on or south of West 14th Street (west of its intersection with 5th Avenue), or on or south of East 14th Street (east of its intersection with 5th Street): Provided further, That, of the amount provided in this paragraph, \$10,000,000 shall be used for a program to aid the travel and tourism industry in New York City.

Public Law 107-206, approved August 2, 2002. For an additional amount for the `Community development fund' for emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States, \$783,000,000, to remain available until expended: Provided, That the State of New York, in cooperation with the City of New York, shall, through the Lower Manhattan Development Corporation, distribute these funds: Provided further, That such funds may be used for assistance for properties and businesses (including the restoration of utility infrastructure) damaged by, and for economic revitalization directly related to, the terrorist attacks on the United States that occurred on September 11, 2001, in New York City and for reimbursement to the State and City of New York for expenditures incurred from the regular Community Development Block Grant formula allocation used to achieve these same purposes: Provided further, That the State of New York is authorized to provide such assistance to the City of New York: Provided further, That in administering these funds and funds under section 108 of title I of the Housing and Community Development Act of 1974, as amended, used for economic revitalization activities in New York City, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such waiver is required to facilitate the use of such funds or guarantees: Provided further, That such funds shall not adversely affect the amount of any formula assistance received by the State of New York, New York City, or any categorical application for other Federal assistance: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974, as amended, no later than 5 days before the effective date of such waiver: Provided further, That the Secretary shall notify the Committees on Appropriations on the proposed allocation of any funds and any related waivers pursuant to this section no later than 5 days before such allocation: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (P.L. 105-277): CDBG disaster funds are "for use only for disaster relief, long-term recovery, and mitigation in communities affected by Presidentially-declared natural disasters designated during fiscal years 1998 and 1999, except those activities reimbursable or for which funds are made available by the Federal Emergency Management Agency, the Small Business Administration, or the Army Corps of Engineers." "[A]t least 50 percent of the funds under this heading must benefit primarily persons of low- and moderate-income unless the Secretary makes a finding of compelling need." "[E]ach State shall provide not less than 25 percent in non-Federal public matching funds or its equivalent value (other than administrative costs) for any funds allocated to the State under this heading." "[A]ny project or activity underway prior to a Presidentially declared disaster may not receive funds under this heading unless the disaster directly impacted the project." See Federal Register notice. This includes grant numbers beginning with: B-99-DK.

Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (P.L. 105-276): CDBG disaster funds for the city of Oklahoma City, for a revolving loan pool that is subject to the following requirements and conditions: (1) amounts in the pool shall be available only for the purpose of making loans to carry out economic development activities that primarily benefits the bombing area, and covering costs involved in administering the loan pool; (2) amounts shall be available for use from the loan pool only to the extent that the amounts contributed to the loan pool (or committed to be contributed) from non-Federal sources equal or exceed two times the amounts provided; (3) any repayments of principal and interest from loans made by the pool shall be deposited in the pool and shall be available for use for loans under these requirements; (4) amounts in the pool may not be used to provide loans to any agency or entity of the Federal Government or any State government or unit of general local government; (5) amounts provided by this appropriation shall be available for use from the loan pool only if the city of Oklahoma City agrees to deposit in the pool to net proceeds from any amounts that are repaid to the city under loans made by the city using amounts appropriated under Public Law 104-19. The grant number is B-98-MO-40-0003.

For CDBG disaster funds appropriated for any fiscal year 1999 and beyond, "not more than \$250,000 may be used for the non-Federal cost-share of any project funded by the Secretary of the Army through the Corps of Engineers." This includes any CDBG disaster grant number beginning with: B-99 or a later year.

1998 Supplemental Appropriations and Rescissions Act (P.L. 105-174): CDBG disaster funds are "for use only for disaster relief, long-term recovery, and mitigation in communities affected by Presidentially-declared natural disasters designated during fiscal year 1998, except those activities reimbursable or for which funds are made available by the Federal Emergency Management Agency, the Small Business Administration, or the Army Corps of Engineers." "[A]t least 50 percent of the funds under this heading must benefit primarily persons of low- and moderate-income unless the Secretary makes a finding of compelling need." "[E]ach State shall provide not less than 25 percent in non-Federal public matching funds or its equivalent value (other than administrative costs) for any funds allocated to the State under this heading." See Federal Register notices dated October 22, 1998 (63 FR 56763 - 56780), March 10, 1999 (64 FR 11943 - 11945), and September 3, 1999 (64 FR 48411) for rules governing the use of funds. This includes grant numbers beginning with: B-98-DD.

1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia (P.L. 105-18): CDBG disaster funds are "for use only for buyouts, relocation, long-term recovery, and mitigation in communities affected by the flooding in the upper Midwest and other disasters in fiscal year 1997 and such natural disasters designated 30 days prior to the start of fiscal year 1997, except those activities reimbursable or for which funds are made available by the Federal Emergency Management Agency, the Small Business Administration, or the Army Corps of Engineers." See Federal Register notices dated September 8, 1997 (62 FR 47343-47358) and June 29, 1998 (63 FR 35135 - 35137) for rules governing the use of funds. This includes grant numbers beginning with: B-97 or 98-MU, UU, DU, or NU.

Omnibus Consolidated Rescissions and Appropriations Act of 1996 (P.L. 104-134): CDBG disaster funds are for expenses and repairs related to fiscal year 1996 Presidentially declared flood disasters through April 26, 1996. This includes grant numbers beginning with: B-96-MR, UR or DR.

Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-Terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 (P.L. 104-19): CDBG disaster funds are "to assist property and victims damaged and economic revitalization due to the bombing of the Alfred P. Murrah Federal Building in Oklahoma City on April 19, 1995." The grant number is B-95-MO-40-0003.

Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995 (P.L. 103-327): CDBG disaster funds are for expenses in the cities of Los Angeles and Santa Monica resulting from the January 1994 earthquake in Southern California. An additional amount of CDBG disaster funds are "to be used to assist States, local communities, and businesses in recovering from the flooding and damage caused by Tropical Storm Alberto and other disasters." This includes grant numbers beginning with: B-94-MG, MA or DA.

Emergency Supplemental Appropriations Act of 1994 (P.L. 103-211): CDBG disaster funds are for "expenses resulting from the January 1994 earthquake in Southern California or the Midwest Floods of 1993." With respect to funds "used by recipients affected by the Midwest flood of 1993 for the purpose of hazard mitigation through flood plain real property acquisition or relocation," ... "such activities will be subject to the requirements of section 3 and 4 of the Hazard Mitigation and Relocation Assistance Act of 1993" that essentially limits the use of funds to voluntary acquisitions and reuse of the real property in perpetuity to uses "compatible with open space, recreational, or wetlands practices." This includes grant numbers beginning with: B-94-MF, UF, DF, ME, or UE.

Emergency Supplemental Appropriations for Relief From the Major Widespread Flooding of the Midwest Act of 1993 (P.L. 103-75): CDBG disaster funds are for use "only in areas affected by the Midwest floods, high winds, hail and other related weather damages of 1993 and other disasters." Funds "shall be used only to repair, replace, restore facilities damaged or to continue service interrupted by Midwest floods, high winds, hail and other related weather damages of 1993 and other disasters that are essential to public health and safety." This includes grant numbers beginning with: B-93-MF, UF or DF.

Supplemental Appropriations Act of 1993 (Public Law 103-50): CDBG disaster funds are "for use only for the repair, renovation, or replacement, or other authorized community development activities affecting structures damaged or destroyed by Hurricane Andrew, Hurricane Iniki, or Typhoon Omar, and other Presidentially-declared disasters, " or "for use only in areas impacted by Hurricane Andrew, Hurricane Iniki, or Typhoon Omar." This includes grant numbers beginning with: B-93-MH, UH, DH, SH, or DI.