



Legislative Bulletin.....January 15, 2013

Contents: Amendments Made in Order to H.R. 152 – Disaster Relief Appropriations Act, 2013

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Summary: On January 15, 2013, the House will consider H.R. 152, Disaster Relief Appropriations Act, 2013, under a structured rule (H. Res. 23). The structured rule will allow one Amendment in the Nature of a Substitute (AINS), one offset amendment, and twelve additional secondary amendments.

Amendment in Part-A Made in Order by H. Res. 23

- 1. Rogers (R-KY)** – This amendment in the nature of a substitute (AINS) is substantively identical to the underlying bill, H.R. 152, which provides \$17 billion in disaster relief across multiple accounts and departments. For more detailed analysis of this amendment, please see the RSC Legislative Bulletin on H.R. 152. The amendment can be [viewed here](#).

Amendment in Part-B Made in Order by H. Res. 23

- 1. Mulvaney (R-SC)** – This offset amendment to the Rogers AINS – intended by the sponsor to offset the \$17.0 billion appropriation in the Rogers AINS – would rescind 1.63 percent of all discretionary FY13 budget authority. This rescission includes defense and non-defense discretionary spending, which totals \$1.047 trillion for FY13 not including disaster or emergency spending. According to a preliminary CBO score, this amendment would raise approximately \$20.4 billion. A waiver of rule XXI clause 2 was granted in order for this amendment to be made in order. The amendment can be [viewed here](#).

Outside Groups: The National Taxpayers Union is positively scoring a “yes” vote on the amendment. The Club for Growth is positively scoring a “yes” vote on the amendment.

Note: An offset amendment with targeted cuts, as opposed to across-the-board cuts, was offered by Congressman Mulvaney and Chairman Scalise, but this amendment was not made in order by the Rules Committee.

Amendments in Part C Made in Order by H. Res. 23

1. **Rep. Frelinghuysen (R-NJ)** – This amendment to H.R. 152 provides an additional \$33.7 billion in funding across multiple accounts, and would bring the total spending in the bill to \$50.7 billion. For more detailed analysis of this amendment, please see the RSC Legislative Bulletin on H.R. 152. The amendment can be [viewed here](#).
2. **Flores (R-TX)**: The amendment to the Frelinghuysen Amendment eliminates funding for the National Oceanic and Atmospheric Administration’s (NOAA) Regional Ocean Partnership grants to coastal states impacted by Hurricane Sandy. The amendment by Rep. Frelinghuysen sets this funding at \$150,000,000. Rep. Flores’ amendment text can be [viewed here](#).

Regional Ocean Partnership grants are awarded to projects that include the goals of President Obama's National Ocean Policy (NOP). Some Members have previously expressed concerns regarding the NOP. Specifically, the NOP would initiate mandatory ocean zoning, allowing the federal government to decide which activities can take place along shorelines and in oceans. Implementation of the NOP could inflict real economic damage across many industries, including but not limited to agriculture, manufacturing, construction, and fishing. On May 9, 2012, Rep. Flores offered an amendment to the Fiscal Year 2013 Commerce, Justice, and Science Appropriations bill to prohibit funding to implement the NOP. This amendment passed by a [roll call vote of 246-174](#).

3. **Runyan (R-NJ)**: The amendment to the Frelinghuysen Amendment clarifies language that authorizes funding for fishery disasters. The amendment states that the \$5,000,000 authorized may be used for fishery disasters that occurred “during calendar year 2012 that were declared by the Secretary of Commerce as a direct result of impacts from Hurricane Sandy.” The amendment text can be [viewed here](#).
4. **Broun (R-GA)**: The amendment to the Frelinghuysen Amendment eliminates funding to accelerate the National Weather Service ground readiness project. The amendment by Rep. Frelinghuysen sets this funding at \$13,000,000. Rep. Broun’s amendment text can be [viewed here](#).
5. **Duncan (R-SC)**. This amendment to the Frelinghuysen Amendment eliminates the \$1,000,000 appropriated for mobile resources, technology, and disaster coordinators for the Legal Services Corporation (LSC) and prohibits any funds made available in the bill from being used by the LSC. Elimination of the LSC has been an RSC effort highlighted in recent [RSC budgets](#) (pg. 15), the [RSC Spending Reduction Act of 2011](#), the [RSC Repeal Task Force](#) and [Sunset Caucus](#). The LSC’s criticisms include [wasting](#) taxpayer dollars and offering legal services that are duplicative of those offered by states, localities, bar associations, and private entities. The amendment can be [viewed here](#).
6. **Campbell (R-CA) and Blumenauer (D-OR)**. This amendment clarifies language in the Frelinghuysen amendment to prohibit a waiver of local cost-share for projects currently

under construction in the Sandy-affected area but that are unrelated to Hurricane Sandy. Without this language, the Frelinghuysen amendment could be interpreted to require full federal funding for projects that otherwise receive funding in this bill and were in the construction phase prior to Hurricane Sandy. The amendment can be [viewed here](#).

7. **Velazquez (D-NY).** This amendment to the Frelinghuysen amendment adds language that reduces by \$25 million the amount provided for administrative expenses to carry out the Small Business Administration's direct loan program. The amendment fails to provide a savings as it increases the appropriation for the Community Development Fund by \$25 million. The amendment can be [viewed here](#).
8. **Huelskamp (R-KS):** The amendment requires the Federal Emergency Management Agency (FEMA) to disclose information on all disaster grants, mission assignments, and tasks or orders. These grants may only go to any State or local government or a person who owns or operates a private nonprofit facility damaged or destroyed by a major disaster. The amendment by Rep. Frelinghuysen only requires this disclaimer when the amount is in excess of \$1,000,000. The amendment text can be [viewed here](#).
9. **Fleming (R-LA):** The amendment reduces funding available for construction of the Fish and Wildlife Service by \$9,800,000. The amendment also states that none of the funds may be used to repair seawalls or buildings on islands in the Steward B. McKinney National Wildlife Refuge. The amendment text can be [viewed here](#).
10. **Benishek (R-MI):** The amendment strikes language that exempts grants from the National Park Service Historic Preservation Fund from the non-federal matching requirement. Thus, the amendment restores the requirement that Historic Preservation Fund grants have a non-federal match. The amendment text can be [viewed here](#).
11. **Bishop (R-UT):** The amendment prohibits funding in the legislation from being used by the Secretary of Agriculture, or the Secretary of the Interior, for land acquisition. The amendment text can be [viewed here](#).
12. **Velazquez (D-NY).** This amendment amends the Frelinghuysen amendment by reducing the Small Business Administration Disaster Loans Program Account for direct administrative expenses involving loan making and servicing from \$250 million to \$249 million. The amendment reallocates this \$1 million cut to the Department of Veterans Affairs, National Cemetery Administration account for repair of veterans' graves that were damaged by Hurricane Sandy. The amendment can be [viewed here](#).

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