

Public Law 103-181
103d Congress

An Act

Dec. 3, 1993
[S. 1670]

To improve hazard mitigation and relocation assistance in connection with flooding, and for other purposes.

Hazard Mitigation and Relocation Assistance Act of 1993.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazard Mitigation and Relocation Assistance Act of 1993".

42 USC 5121 note.

SEC. 2. HAZARD MITIGATION.

(a) **FEDERAL SHARE AND TOTAL CONTRIBUTIONS.**—Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended—

(1) in the first sentence, by striking "50 percent" and inserting "75 percent"; and

(2) in the last sentence, by striking "10 percent" and all that follows through the end of the sentence and inserting "15 percent of the estimated aggregate amount of grants to be made (less any associated administrative costs) under this Act with respect to the major disaster."

42 USC 5170c note.

(b) **APPLICABILITY.**—The amendments made by this section shall apply to any major disaster declared by the President pursuant to The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after June 10, 1993.

SEC. 3. PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.

Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended—

(1) by inserting "(a) **IN GENERAL.**—" before "The President"; and

(2) by adding at the end the following new subsection:

"(b) **PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.**—

"(1) **GENERAL AUTHORITY.**—In providing hazard mitigation assistance under this section in connection with flooding, the Director of the Federal Emergency Management Agency may provide property acquisition and relocation assistance for projects that meet the requirements of paragraph (2).

"(2) **TERMS AND CONDITIONS.**—An acquisition or relocation project shall be eligible to receive assistance pursuant to paragraph (1) only if—

"(A) the applicant for the assistance is otherwise eligible to receive assistance under the hazard mitigation grant program established under subsection (a); and

“(B) on or after the date of enactment of this subsection, the applicant for the assistance enters into an agreement with the Director that provides assurances that—

“(i) any property acquired, accepted, or from which a structure will be removed pursuant to the project will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices;

“(ii) no new structure will be erected on property acquired, accepted or from which a structure was removed under the acquisition or relocation program other than—

“(I) a public facility that is open on all sides and functionally related to a designated open space;

“(II) a rest room; or

“(III) a structure that the Director approves in writing before the commencement of the construction of the structure; and

“(iii) after receipt of the assistance, with respect to any property acquired, accepted or from which a structure was removed under the acquisition or relocation program—

“(I) no subsequent application for additional disaster assistance for any purpose will be made by the recipient to any Federal entity; and

“(II) no assistance referred to in subclause (I) will be provided to the applicant by any Federal source.

“(3) STATUTORY CONSTRUCTION.—Nothing in this subsection is intended to alter or otherwise affect an agreement for an acquisition or relocation project carried out pursuant to this section that was in effect on the day before the date of enactment of this subsection.”

SEC. 4. TREATMENT OF REAL PROPERTY BUYOUT PROGRAMS.

42 USC 4601
note.

(a) INAPPLICABILITY OF URA.—The purchase of any real property under a qualified buyout program shall not constitute the making of Federal financial assistance available to pay all or part of the cost of a program or project resulting in the acquisition of real property or in any owner of real property being a displaced person (within the meaning of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970).

(b) DEFINITION OF “QUALIFIED BUYOUT PROGRAM”.—For purposes of this section, the term “qualified buyout program” means any program that—

(1) provides for the purchase of only property damaged by the major, widespread flooding in the Midwest during 1993;

(2) provides for such purchase solely as a result of such flooding;

(3) provides for such acquisition without the use of the power of eminent domain and notification to the seller that acquisition is without the use of such power;

(4) is carried out by or through a State or unit of general local government; and

- (5) is being assisted with amounts made available for—
(A) disaster relief by the Federal Emergency Management Agency; or
(B) other Federal financial assistance programs.

Approved December 3, 1993.

LEGISLATIVE HISTORY—S. 1670:

CONGRESSIONAL RECORD, Vol. 139 (1993):

Nov. 19, considered and passed Senate.

Nov. 20, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Dec. 3, Presidential statement.