

Union Calendar No. 440

117TH CONGRESS
2^D SESSION

H. R. 7242

[Report No. 117-609]

To require the President to develop and maintain products that show the risk of natural hazards across the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2022

Ms. DAVIDS of Kansas (for herself and Mr. GRAVES of Louisiana) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

DECEMBER 8, 2022

Additional sponsors: Miss GONZÁLEZ-COLÓN and Ms. WILLIAMS of Georgia

DECEMBER 8, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 28, 2022]

A BILL

To require the President to develop and maintain products that show the risk of natural hazards across the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Community Disaster*
 5 *Resilience Zones Act of 2022”.*

6 **SEC. 2. FINDINGS.**

7 *Section 101(b) of the Robert T. Stafford Disaster Relief*
 8 *and Emergency Assistance Act (42 U.S.C. 5121(b)) is*
 9 *amended—*

10 *(1) in paragraph (5), by striking “and” at the*
 11 *end;*

12 *(2) in paragraph (6), by adding “; and” at the*
 13 *end; and*

14 *(3) by adding at the end the following:*

15 *“(7) identifying and improving the climate and*
 16 *natural hazard resilience of vulnerable communities.”.*

17 **SEC. 3. NATURAL HAZARD RISK ASSESSMENT.**

18 *(a) IN GENERAL.—Title II of the Robert T. Stafford*
 19 *Disaster Relief and Emergency Assistance Act (42 U.S.C.*
 20 *5131 et seq.) is amended by adding at the end the following:*

21 **“SEC. 206. NATURAL HAZARD RISK ASSESSMENT.**

22 **“(a) DEFINITIONS.—In this section:**

23 **“(1) COMMUNITY DISASTER RESILIENCE ZONE.—**

24 *The term ‘community disaster resilience zone’ means*

1 *a census tract designated by the President under sub-*
2 *section (d)(1).*

3 “(2) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
4 *ty’ means—*

5 “(A) *a State;*

6 “(B) *an Indian tribal government; or*

7 “(C) *a local government.*

8 “(b) *PRODUCTS.*—*The President shall continue to*
9 *maintain a natural hazard assessment program that devel-*
10 *ops and maintains products that—*

11 “(1) *are available to the public; and*

12 “(2) *define natural hazard risk across the United*
13 *States.*

14 “(c) *FEATURES.*—*The products maintained under sub-*
15 *section (b) shall, for lands within States and areas under*
16 *the jurisdiction of Indian tribal governments—*

17 “(1) *show the risk of natural hazards; and*

18 “(2) *include ratings and data for—*

19 “(A) *loss exposure, including population*
20 *equivalence, buildings, and agriculture;*

21 “(B) *social vulnerability;*

22 “(C) *community resilience; and*

23 “(D) *any other element determined by the*
24 *President.*

1 “(d) *COMMUNITY DISASTER RESILIENCE ZONES DESIGNATION.*—

2
3 “(1) *IN GENERAL.*—Not later than 30 days after
4 the date on which the President makes the update and
5 enhancement required under subsection (e)(4), and
6 not less frequently than every 5 years thereafter, the
7 President shall identify and designate community
8 disaster resilience zones, which shall be—

9 “(A) the 50 census tracts assigned the highest
10 individual hazard risk ratings; and

11 “(B) subject to paragraph (3), in each
12 State, not less than 1 percent of census tracts
13 that are assigned high individual risk ratings.

14 “(2) *RISK RATINGS.*—In carrying out paragraph
15 (1), the President shall use census tract risk ratings
16 derived from a product maintained under subsection
17 (b) that—

18 “(A) reflect—

19 “(i) high levels of individual hazard
20 risk ratings based on an assessment of the
21 intersection of—

22 “(I) loss to population equivalence;
23 lence;

24 “(II) buildings value; and

25 “(III) agriculture value;

1 “(ii) *high social vulnerability ratings*
2 *and low community resilience ratings; and*

3 “(iii) *any other elements determined*
4 *by the President; and*

5 “(B) *reflect the principal natural hazard*
6 *risks identified for the respective census tracts.*

7 “(3) *GEOGRAPHIC BALANCE.—In identifying*
8 *and designating the community disaster resilience*
9 *zones described in paragraph (1)(B)—*

10 “(A) *for the purpose of achieving geographic*
11 *balance, when applicable, the President shall*
12 *consider making designations in coastal, inland,*
13 *urban, suburban, and rural areas; and*

14 “(B) *the President shall include census*
15 *tracts on Tribal lands located within a State.*

16 “(4) *DURATION.—The designation of a commu-*
17 *nity disaster resilience zone under paragraph (1)*
18 *shall be effective for a period of not less than 5 years.*

19 “(e) *REVIEW AND UPDATE.—Not later than 180 days*
20 *after the date of enactment of the Community Disaster Re-*
21 *silience Zones Act of 2022, and not less frequently than*
22 *every 5 years thereafter, the President shall—*

23 “(1) *with respect to any product that is a nat-*
24 *ural hazard risk assessment—*

1 “(A) review the underlying methodology of
2 the product; and

3 “(B) receive public input on the method-
4 ology and data used for the product;

5 “(2) consider including additional data in any
6 product that is a natural hazard risk assessment,
7 such as—

8 “(A) the most recent census tract data;

9 “(B) data from the American Community
10 Survey of the Bureau of the Census, a successor
11 survey, a similar survey, or another data source,
12 including data by census tract on housing char-
13 acteristics and income;

14 “(C) information relating to development,
15 improvements, and hazard mitigation measures;

16 “(D) data that assesses past and future loss
17 exposure, including analysis on the effects of a
18 changing climate on future loss exposure;

19 “(E) data from the Resilience Analysis and
20 Planning Tool of the Federal Emergency Man-
21 agement Agency; and

22 “(F) other information relevant to
23 prioritizing areas that have—

24 “(i) high risk levels of—

1 “(I) natural hazard loss exposure,
2 including population equivalence,
3 buildings, infrastructure, and agri-
4 culture; and

5 “(II) social vulnerability; and

6 “(ii) low levels of community resil-
7 ience;

8 “(3) make publicly available any changes in
9 methodology or data used to inform an update to a
10 product maintained under subsection (b); and

11 “(4) update and enhance the products main-
12 tained under subsection (b), as necessary.

13 “(f) *NATURAL HAZARD RISK ASSESSMENT IN-*
14 *SIGHTS.*—In determining additional data to include in
15 products that are natural hazard risk assessments under
16 subsection (e)(2), the President shall consult with, at a min-
17 imum—

18 “(1) the Administrator of the Federal Emergency
19 Management Agency;

20 “(2) the Secretary of Agriculture and the Chief
21 of the Forest Service;

22 “(3) the Secretary of Commerce, the Adminis-
23 trator of the National Oceanic and Atmospheric Ad-
24 ministration, the Director of the Bureau of the Cen-

1 *sus, and the Director of the National Institute of*
2 *Standards and Technology;*

3 *“(4) the Secretary of Defense and the Com-*
4 *manding Officer of the United States Army Corps of*
5 *Engineers;*

6 *“(5) the Administrator of the Environmental*
7 *Protection Agency;*

8 *“(6) the Secretary of the Interior and the Direc-*
9 *tor of the United States Geological Survey;*

10 *“(7) the Secretary of Housing and Urban Devel-*
11 *opment; and*

12 *“(8) the Director of the Federal Housing Finance*
13 *Agency.*

14 *“(g) COMMUNITY DISASTER RESILIENCE ZONE.—With*
15 *respect to financial assistance provided under section 203(i)*
16 *to perform a resilience or mitigation project within, or that*
17 *primarily benefits, a community disaster resilience zone,*
18 *the President may increase the amount of the Federal share*
19 *described under section 203(h).*

20 *“(h) RESILIENCE OR MITIGATION PROJECT PLANNING*
21 *ASSISTANCE.—*

22 *“(1) IN GENERAL.—The President may provide*
23 *financial, technical, or other assistance under this*
24 *title to an eligible entity that plans to perform a re-*

1 *silience or mitigation project within, or that pri-*
 2 *marily benefits, a community disaster resilience zone.*

3 *“(2) PURPOSE.—The purpose of assistance pro-*
 4 *vided under paragraph (1) shall be to carry out ac-*
 5 *tivities in preparation for a resilience or mitigation*
 6 *project or seek an evaluation and certification under*
 7 *subsection (i)(2) for a resilience or mitigation project*
 8 *before the date on which permanent work of the resil-*
 9 *ience or mitigation project begins.*

10 *“(3) APPLICATION.—If required by the President,*
 11 *an eligible entity seeking assistance under paragraph*
 12 *(1) shall submit an application in accordance with*
 13 *subsection (i)(1).*

14 *“(4) FUNDING.—In providing assistance under*
 15 *paragraph (1), the President may use amounts set*
 16 *aside under section 203(i).*

17 *“(i) COMMUNITY DISASTER RESILIENCE ZONE*
 18 *PROJECT APPLICATIONS.—*

19 *“(1) IN GENERAL.—If required by the President*
 20 *or other Federal law, an eligible entity shall submit*
 21 *to the President an application at such time, in such*
 22 *manner, and containing or accompanied by such in-*
 23 *formation as the President may reasonably require.*

24 *“(2) EVALUATION AND CERTIFICATION.—*

1 “(A) *IN GENERAL.*—Not later than 120
2 *days after the date on which an eligible entity*
3 *submits an application under paragraph (1), the*
4 *President shall evaluate the application to deter-*
5 *mine whether the resilience or mitigation project*
6 *that the entity plans to perform within, or that*
7 *primarily benefits, a community disaster resil-*
8 *ience zone—*

9 “(i) *meets or exceeds one of the latest*
10 *two published editions of relevant con-*
11 *sensus-based codes, specifications, and*
12 *standards, including amendments made by*
13 *State, local, Indian tribal, or territorial*
14 *governments during the adoption process*
15 *that incorporate the latest hazard-resistant*
16 *designs and establish criteria for the design,*
17 *construction, and maintenance of residen-*
18 *tial structures and facilities that may be el-*
19 *igible for assistance under this section;*

20 “(ii) *is designed to reduce injuries, loss*
21 *of life, and damage and destruction of prop-*
22 *erty, such as damage to critical services and*
23 *facilities; and*

1 “(iii) substantially reduces the risk of,
2 or increases resilience to, future damage,
3 hardship, loss, or suffering.

4 “(B) CERTIFICATION.—If the President de-
5 termines that an application submitted under
6 paragraph (1) meets the criteria described in
7 subparagraph (A), the President shall certify the
8 proposed resilience or mitigation project.

9 “(C) EFFECT OF CERTIFICATION.—The cer-
10 tification of a proposed resilience or mitigation
11 project under subparagraph (B) shall not be con-
12 strued to exempt the resilience or mitigation
13 project from the requirements of any other law.

14 “(3) PROJECTS CAUSING DISPLACEMENT.—With
15 respect to a resilience or mitigation project certified
16 under paragraph (2)(B) that involves the displace-
17 ment of a resident from any occupied housing unit,
18 the entity performing the resilience or mitigation
19 project shall—

20 “(A) provide, at the option of the resident,
21 a suitable and habitable housing unit that is,
22 with respect to the housing unit from which the
23 resident is displaced—

24 “(i) of a comparable size;

1 “(ii) located in the same local commu-
2 nity or a community with reduced hazard
3 risk; and

4 “(iii) offered under similar costs, con-
5 ditions, and terms;

6 “(B) ensure that property acquisitions re-
7 sulting from the displacement and made in con-
8 nection with the resilience or mitigation
9 project—

10 “(i) are deed restricted in perpetuity to
11 preclude future property uses not relating to
12 mitigation or resilience; and

13 “(ii) are the result of a voluntary deci-
14 sion by the resident; and

15 “(C) plan for robust public participation in
16 the resilience or mitigation project.”.

17 (b) *NATIONAL RISK INDEX FUNDING.*—Nothing in sec-
18 tion 206 of the Robert T. Stafford Disaster Relief and
19 Emergency Assistance Act, as added by subsection (a), shall
20 be construed to prohibit the Administrator of the Federal
21 Emergency Management Agency from using amounts avail-
22 able to maintain and update the National Risk Index until
23 the earlier of—

24 (1) the date on which such amounts are trans-
25 ferred to another source; and

1 (2) 3 years after the date of enactment of this
2 Act.

3 (c) *CONFORMING AMENDMENT.*—Section 1234 of the
4 *Disaster Recovery Reform Act of 2018* (42 U.S.C. 5133
5 note) is amended by striking subsection (d).

6 **SEC. 4. HARMFUL ALGAL BLOOM DAMAGE.**

7 (a) *IN GENERAL.*—Not later than 1 year after the date
8 of enactment of this Act, the Administrator of the Federal
9 Emergency Management Agency shall develop criteria to
10 assess damage caused by a harmful algal bloom and submit
11 to Congress a report describing such criteria.

12 (b) *ECONOMIC IMPACT.*—In developing the criteria
13 under subsection (a), the Administrator shall take into con-
14 sideration the economic effects of harmful algal blooms.

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