

Calendar No. 440

118TH CONGRESS
2D SESSION**H. R. 5473****[Report No. 118–194]**

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2023

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

JULY 23, 2024

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**AN ACT**

To amend certain laws relating to disaster recovery and relief with respect to the implementation of building codes, 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 “Promoting Resilient
5 Buildings Act of 2023”.

1 **SEC. 2. PREDISASTER HAZARD MITIGATION.**

2 Section 203 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5133) is
4 amended by adding at the end the following:

5 “(m) **LATEST PUBLISHED EDITIONS.**—For purposes
6 of subsections (c)(1)(B)(iv) and (g)(10), the term ‘latest
7 published editions’ means, with respect to relevant con-
8 sensus-based codes, specifications, and standards, the 2
9 most recently published editions.”.

10 **SEC. 3. HAZARD MITIGATION REVOLVING LOAN FUND PRO-**
11 **GRAM.**

12 Section 205(f)(5) of the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act (42 U.S.C.
14 5135(f)(5)) is amended—

15 (1) in the paragraph heading by striking “ES-
16 TABLISHING” and insert “IMPLEMENTING”;

17 (2) by striking “establish” and insert “imple-
18 ment”;

19 (3) by inserting “2” after “latest”; and

20 (4) by inserting “, including any amendments
21 made by State, local, Tribal, or territorial govern-
22 ments to such codes, specifications, and standards,”
23 after “standards”.

1 **SEC. 4. RESIDENTIAL RETROFIT AND RESILIENCE PILOT**
2 **PROGRAM.**

3 (a) **ESTABLISHMENT.**—The Administrator of the
4 Federal Emergency Management Agency shall carry out
5 a residential resilience pilot program through the program
6 established under section 203 of the Robert T. Stafford
7 Disaster Relief and Emergency Assistance Act (42 U.S.C.
8 5133) to make available assistance to States and local gov-
9 ernments for the purpose of providing grants to individ-
10 uals for residential resilience retrofits.

11 (b) **AMOUNT OF FUNDS.**—The Administrator may
12 use not more than 10 percent of the assistance made avail-
13 able to applicants on an annual basis under section 203
14 of the Robert T. Stafford Disaster Relief and Emergency
15 Assistance Act (42 U.S.C. 5133) to provide assistance
16 under this section.

17 (c) **TIMELINE.**—The Administrator shall establish
18 the pilot program under this section not later than 1 year
19 after the date of enactment of this Act and the program
20 shall terminate on September 30, 2026.

21 (d) **PRIORITY.**—In carrying out the pilot program
22 under this section, the Administrator shall ensure that a
23 State or local government receiving assistance under the
24 program provides grants to individuals that demonstrate
25 financial need.

1 (e) REPORT.—Not later than 4 years after the date
2 of enactment of this Act, the Administrator shall submit
3 to the Committee on Transportation and Infrastructure
4 of the House of Representatives and the Committee on
5 Homeland Security and Governmental Affairs of the Sen-
6 ate a report that includes—

7 (1) a summary of the grant awards and
8 projects carried out under this section;

9 (2) a detailed compilation of results achieved by
10 the grant awards and projects carried out under this
11 section, including the number of homes receiving ret-
12 rofits, the types and average costs of retrofits, demo-
13 graphic information for participants in the program,
14 and estimate avoidance in disaster impacts and Fed-
15 eral disaster payments as a result of the grant in-
16 vestments; and

17 (3) any identified implementation challenges
18 and recommendations for improvements to the pilot
19 program.

20 (f) APPLICABILITY.—This section shall only apply to
21 amounts appropriated on or after the date of enactment
22 of this Act.

23 (g) RESIDENTIAL RESILIENT RETROFITS DE-
24 FINED.—

1 (1) IN GENERAL.—In this section, the term
2 “residential resilient retrofits” means a project
3 that—

4 (A) is designed to increase the resilience of
5 an existing home or residence using mitigation
6 measures which the administrator determines
7 reduce damage and impacts from natural dis-
8 aster hazards and risks that are most likely to
9 occur in the area where the home is located;
10 and

11 (B) to the extent applicable, are consistent
12 with the 2 most recently published editions of
13 relevant consensus-based codes, specifications,
14 and standards, including any amendments made
15 by State, local, tribal, or territorial governments
16 to such codes, specifications, and standards
17 that incorporate the latest hazard-resistant de-
18 signs and establish criteria for the design, con-
19 struction, and maintenance of residential struc-
20 tures and facilities that may be eligible for as-
21 sistance under the Robert T. Stafford Disaster
22 Relief and Emergency Assistance Act (42
23 U.S.C. 5121 et seq.) for the purpose of pro-
24 tecting the health, safety, and general welfare
25 of the buildings’ users against disasters.

1 (2) INCLUSION.—In this section, the term “res-
2 idential resilient retrofits” includes—

3 (A) elevations of homes and elevations of
4 utilities within and around structures to miti-
5 gate damages;

6 (B) floodproofing measures;

7 (C) the construction of tornado safe rooms;

8 (D) seismic retrofits;

9 (E) wildfire retrofit and mitigation meas-
10 ures;

11 (F) wind retrofits, including roof replace-
12 ments, hurricane straps, and tie-downs; and

13 (G) any other measures that meet the re-
14 quirements of paragraph (1), as determined by
15 the Administrator.

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “Promoting Resilient*
18 *Buildings Act of 2024”.*

19 **SEC. 2. PREDISASTER HAZARD MITIGATION.**

20 *Section 203 of the Robert T. Stafford Disaster Relief*
21 *and Emergency Assistance Act (42 U.S.C. 5133) is amend-*
22 *ed by adding at the end the following:*

23 “(m) *LATEST PUBLISHED EDITIONS.*—For purposes of
24 *subsections (e)(1)(B)(iv) and (g)(10), the term ‘latest pub-*
25 *lished editions’ means, with respect to relevant consensus-*

1 based codes, specifications, and standards, the 2 most re-
 2 cently published editions.”.

3 **SEC. 3. HAZARD MITIGATION REVOLVING LOAN FUND PRO-**
 4 **GRAM.**

5 *Section 205(f) of the Robert T. Stafford Disaster Relief*
 6 *and Emergency Assistance Act (42 U.S.C. 5135(f)) is*
 7 *amended—*

8 *(1) by striking paragraph (5); and*

9 *(2) by redesignating paragraphs (6), (7), and (8)*
 10 *as paragraphs (5), (6), and (7), respectively.*

11 **SEC. 4. RESIDENTIAL RETROFIT AND RESILIENCE PILOT**
 12 **PROGRAM.**

13 *(a) DEFINITIONS.—In this section:*

14 *(1) ADMINISTRATOR.—The term “Adminis-*
 15 *trator” means the Administrator of the Federal*
 16 *Emergency Management Agency.*

17 *(2) RESIDENTIAL RESILIENT RETROFITS.—The*
 18 *term “residential resilient retrofits”—*

19 *(A) means a project that—*

20 *(i) is designed to increase the resilience*
 21 *of an existing home or residence using miti-*
 22 *gation measures that the Administrator de-*
 23 *termines reduce damage and impacts from*
 24 *natural disaster hazards and risks that are*

1 *most likely to occur in the area where the*
2 *home is located; and*

3 *(ii) to the extent applicable, are con-*
4 *sistent with the 2 most recently published*
5 *editions of relevant consensus-based codes,*
6 *specifications, and standards, including*
7 *any amendments made by State, local,*
8 *Tribal, or territorial governments to those*
9 *codes, specifications, and standards that in-*
10 *corporate the latest hazard-resistant designs*
11 *and establish criteria for the design, con-*
12 *struction, and maintenance of residential*
13 *structures and facilities that may be eligible*
14 *for assistance under the Robert T. Stafford*
15 *Disaster Relief and Emergency Assistance*
16 *Act (42 U.S.C. 5121 et seq.) for the purpose*
17 *of protecting the health, safety, and general*
18 *welfare of users of the buildings against dis-*
19 *asters; and*

20 *(B) includes—*

21 *(i) elevations of homes and elevations*
22 *of utilities within and around structures to*
23 *mitigate damages;*

24 *(ii) floodproofing measures;*

- 1 (iii) the construction of tornado safe
2 rooms;
3 (iv) seismic retrofits;
4 (v) wildfire retrofit and mitigation
5 measures;
6 (vi) wind retrofits, including roof re-
7 placements, hurricane straps, and tie-
8 downs; and
9 (vii) any other measures that meet the
10 requirements of subparagraph (A), as deter-
11 mined by the Administrator.

12 (b) *ESTABLISHMENT.*—The Administrator shall carry
13 out a residential resilience pilot program through the pro-
14 gram established under section 203 of the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act (42 U.S.C.
16 5133) to make available assistance to States and local gov-
17 ernments for the purpose of providing grants to individuals
18 for residential resilience retrofits.

19 (c) *AMOUNT OF FUNDS.*—The Administrator may use
20 not more than 10 percent of the assistance made available
21 to applicants on an annual basis under section 203 of the
22 Robert T. Stafford Disaster Relief and Emergency Assist-
23 ance Act (42 U.S.C. 5133) to provide assistance under this
24 section.

1 (d) *TIMELINE.*—*The Administrator shall establish the*
2 *pilot program under this section not later than 1 year after*
3 *the date of enactment of this Act and the program shall*
4 *terminate on September 30, 2026.*

5 (e) *PRIORITY.*—*In carrying out the pilot program*
6 *under this section, the Administrator shall ensure that a*
7 *State or local government receiving assistance under the*
8 *program provides grants to individuals that demonstrate*
9 *financial need.*

10 (f) *REPORT.*—*Not later than 4 years after the date of*
11 *enactment of this Act, the Administrator shall submit to*
12 *the Committee on Homeland Security and Governmental*
13 *Affairs of the Senate and the Committee on Transportation*
14 *and Infrastructure of the House of Representatives a report*
15 *that includes—*

16 (1) *a summary of the grant awards and projects*
17 *carried out under this section;*

18 (2) *a detailed compilation of results achieved by*
19 *the grant awards and projects carried out under this*
20 *section, including the number of homes receiving ret-*
21 *rofits, the types and average costs of retrofits, and de-*
22 *mographic information for participants in the pilot*
23 *program;*

24 (3) *an estimate of avoidance in disaster impacts*
25 *and Federal disaster payments as a result of the*

1 *grant investments carried out under this section, and*
2 *whether that avoidance is different than other mitiga-*
3 *tion projects funded through section 203 of the Robert*
4 *T. Stafford Disaster Relief and Emergency Assistance*
5 *Act (42 U.S.C. 5133); and*

6 (4) *any identified implementation challenges*
7 *and recommendations for improvements to the pilot*
8 *program.*

9 (g) *APPLICABILITY.—This section shall only apply to*
10 *amounts appropriated on or after the date of enactment of*
11 *this Act.*

12 **SEC. 5. RULE OF CONSTRUCTION.**

13 *Nothing in this Act or the amendments made by this*
14 *Act shall be construed to affect any program other than the*
15 *predisaster hazard mitigation program or the hazard miti-*
16 *gation revolving loan fund program established under sec-*
17 *tion 203 or 205 of the Robert T. Stafford Disaster Relief*
18 *and Emergency Assistance Act (42 U.S.C. 5133, 5135), re-*
19 *spectively.*

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