

**Calendar No. 479**

117TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
117-141 }

COMMUNITY DISASTER RESILIENCE ZONES  
ACT OF 2022

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R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

TO ACCOMPANY

S. 3875

TO REQUIRE THE PRESIDENT TO DEVELOP AND MAINTAIN  
PRODUCTS THAT SHOW THE RISK OF NATURAL HAZARDS  
ACROSS THE UNITED STATES, AND FOR OTHER PURPOSES



SEPTEMBER 7, 2022.—Ordered to be printed

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COMMUNITY DISASTER RESILIENCE ZONES ACT OF 2022

SEPTEMBER 7, 2022.—Ordered to be printed

Mr. PETERS, from the Committee on Homeland Security and  
Governmental Affairs, submitted the following

**R E P O R T**

[To accompany S. 3875]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 3875) to require the President to develop and maintain products that show the risk of natural hazards across the United States, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 3875, the *Community Disaster Resilience Zones Act of 2022*, amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) by adding a requirement that the Federal Emergency Management Agency (FEMA) maintain and update an online natural hazard and social vulnerability data and mapping tool, similar to the National Risk Index (NRI) for natural hazards. The bill also requires FEMA to use the data and mapping tool to identify and designate community disaster resilience zones (CDRZ)—communities that are at the most risk and least likely to

recover from natural hazards. The bill additionally requires FEMA to create an optional review process for the agency to certify mitigation projects submitted by communities that would be performed in a CDRZ. The bill also authorizes the FEMA Administrator to provide additional assistance for mitigation projects that reduce natural hazard risk in, or primarily benefiting, a CDRZ, including a cost share adjustment under FEMA’s pre-disaster mitigation program.

## II. BACKGROUND AND NEED FOR THE LEGISLATION

Due to the increasing frequency and intensity of natural disasters, the federal government has played a growing role in response and recovery, including by appropriating billions of dollars annually for the federal government’s primary emergency response fund, the Disaster Relief Fund (DRF). Following the 2005 Gulf Coast Hurricanes, DRF appropriations soared to an all-time high of over \$90 billion.<sup>1</sup> Major disasters have continued to increase in number and cost.<sup>2</sup> According to a report by the National Institute for Building Sciences, every \$1 spent on pre-disaster mitigation saves on average \$6 in future disaster losses, “in terms of safety, and preventing property loss and disruption of day-to-day life.”<sup>3</sup> While in recent years both pre- and post-disaster mitigation funding have increased, available pre-disaster mitigation funding has fallen far short of demand. Stakeholders have also expressed concern that vulnerable communities face challenges accessing pre-disaster mitigation funding.<sup>4</sup>

Starting in 2017, FEMA’s Natural Hazards Risk Assessment Program (NHRAP) set out to provide communities with comprehensive, multi-hazard risk profiles based on an assessment of their natural hazards and existing risk factors.<sup>5</sup> Continuing that effort, FEMA developed the National Risk Index (NRI), a dataset and online mapping tool that, for communities in the United States, visualizes natural hazard risk metrics based on 18 natural hazards, expected annual losses from natural hazards, social vulnerability, and community resilience.<sup>6</sup> The NRI was designed and built by FEMA in close collaboration with various stakeholders and partners in academia, local, state and federal government, and private industry.

<sup>1</sup> Congressional Research Service, *The Disaster Relief Fund: Overview and Issues* (R45484) (Jan. 22, 2022).

<sup>2</sup> National Oceanic and Atmospheric Administration, National Centers for Environmental Information, *Billion-Dollar Weather and Climate Disasters* (2022) (<https://www.ncdc.noaa.gov/billions/>).

<sup>3</sup> National Institute of Building Sciences, *National Hazard Mitigation Saves, 2019 Report* (Dec. 2019) ([http://2021.nibs.org/files/pdfs/NIBS MMC MitigationSaves\\_2019.pdf](http://2021.nibs.org/files/pdfs/NIBS MMC MitigationSaves_2019.pdf)).

<sup>4</sup> Federal Emergency Management Agency, Building Resilient Infrastructure and Communities FY 2020 Subapplication Status (<https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities/after-apply/fy-2020-subapplication-status>) (accessed May 15, 2022); Federal Emergency Management Agency, *Summary of Stakeholder Feedback: Building Resilient Infrastructure and Communities (BRIC)* (Mar. 2020) ([https://www.fema.gov/sites/default/files/2020-06/fema\\_bric-summary-of-stakeholder-feedback-report.pdf](https://www.fema.gov/sites/default/files/2020-06/fema_bric-summary-of-stakeholder-feedback-report.pdf)); Congressional Research Service, *FEMA Hazard Mitigation: A First Step Toward Climate Adaptation* (R46989) (updated March 23, 2022).

<sup>5</sup> Federal Emergency Management Agency, National Risk Index (<https://hazards.fema.gov/nri/behind-the-risk-index>) (accessed May 15, 2022).

<sup>6</sup> Federal Emergency Management Agency, National Risk Index, Learn More (<https://hazards.fema.gov/nri/learn-more>) (accessed May 15, 2022).

FEMA states that the NRI “can support prioritizing resilience efforts.”<sup>7</sup> A growing body of research has shown that vulnerable communities are the most impacted after a disaster. The 2020 report by FEMA’s National Advisory Council stated:

[b]y perpetually assisting larger communities that already have considerable resources, the smaller, less resource-rich, less-affluent communities cannot access funding to appropriately prepare for a disaster, leading to inadequate response and recovery, and little opportunity for mitigation.<sup>8</sup>

While FEMA currently makes the NRI available to the public, it does not use the vulnerability data contained within it to better target FEMA resources to locations with high vulnerability to natural hazards.

To ensure FEMA continues to maintain and update the NRI, or a similar mapping tool, this bill codifies a natural hazard risk assessment program in the Stafford Act, and requires certain data upgrades to be made, such as incorporating changing climate data.

By codifying a natural hazard risk assessment, this bill will ensure FEMA continues to make the NRI, or a similar tool, available to the public to easily assess a community’s natural hazard risk and social vulnerability. The legislation will also direct FEMA to use the information in an online data and mapping tool to better target mitigation resources. Requiring FEMA to designate CDRZs will ensure it is able to help direct resources to the communities that need it most. Additionally, states and other partners involved in disaster mitigation will also be able to rely on the CDRZ designations to identify the nation’s vulnerable areas.

A CDRZ would be eligible for a cost share adjustment under FEMA’s Building Resilient Infrastructure and Communities (BRIC) program, which is the agency’s largest source of pre-disaster mitigation funding. The inability of underserved communities to afford pre-disaster mitigation projects has been a major barrier to undertaking projects, and this bill attempts to address that issue. This bill also directs FEMA to help CDRZ communities in the mitigation planning phases to help them understand the types of projects that would be helpful in minimizing natural hazard risk.

Additionally, this bill requires FEMA to establish an optional application review process for states, local governments, and tribal governments that would like to undertake mitigation projects within a CDRZ. FEMA reviews projects and certifies them as resilience projects if they meet the following criteria: (1) meets or exceeds hazard-resistant, consensus-based codes, specifications, and standards; (2) is designed to reduce injuries, loss of life, and damage and destruction of property, such as damage to critical services and facilities; and (3) substantially reduces the risk of, or increases resil-

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<sup>7</sup> Federal Emergency Management Agency, *Fact Sheet: National Risk Index Overview* (Aug. 2021). ([https://www.fema.gov/sites/default/files/documents/fema\\_national-risk-index\\_overview-fact-sheet.pdf](https://www.fema.gov/sites/default/files/documents/fema_national-risk-index_overview-fact-sheet.pdf)); Federal Emergency Management Association, *Natural Risk Index for Natural Hazards* (<https://www.fema.gov/flood-maps/products-tools/national-risk-index>) (accessed May 2020).

<sup>8</sup> Federal Emergency Management Agency, *National Advisory Council Report to the FEMA Administrator* (Nov. 2020) ([https://www.fema.gov/sites/default/files/documents/fema\\_nac-report\\_11-2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_nac-report_11-2020.pdf)) at 12.

ience to, future damage, hardship, loss, or suffering. This application process is not tied to BRIC or any other FEMA funding.

Once FEMA has established the optional review process for certifying mitigation projects in CDRZ communities, that process can help both public and private entities drive investments into vetted, meaningful mitigation projects that reduce natural hazard risk, acting as a force multiplier of FEMA mitigation funding. Benefits that could build on this structure include tax incentives by the Internal Revenue Service for investing in certified mitigation projects in vulnerable communities that have been designated CDRZs.

### III. LEGISLATIVE HISTORY

Senator Gary Peters (D–MI) introduced S. 3875, the Community Disaster Resilience Zones Act of 2022, on March 17, 2022, with Senator Rob Portman (R–OH). The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 3875 at a business meeting on March 30, 2022. During the business meeting, a substitute amendment, as modified, was offered by Senator Peters. The modified amendment makes a number of changes based on feedback from FEMA and stakeholders, including changing the name of the natural hazard assessment tool, requiring FEMA to accept public input on the data and methodology of the assessment tool, adding data sets for FEMA to consult when updating the assessment tool, clarifying that a certification under this bill does not exempt a project from other requirements of law, and capping the cost share adjustment under BRIC to no more than 90 percent. The Peters substitute amendment, as modified, was adopted by voice vote en bloc with Senators Peters, Carper, Hassan, Sinema, Rosen, Padilla, Ossoff, Paul, Lankford, Romney, Scott, and Hawley present.

The Committee ordered the bill, as amended, reported favorably by voice vote en bloc with Senators Peters, Carper, Hassan, Sinema, Rosen, Padilla, Ossoff, Paul, Lankford, Romney, Scott, and Hawley present.

### IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

#### *Section 1. Short title*

This section designates the name of the bill as the “f.”

#### *Section 2. Findings*

This section amends Section 101(b) of the Robert T. Stafford Relief and Emergency Assistance Act (Stafford Act) (42 U.S.C. 5121(b)) by adding a new finding that states one of the intents of the Stafford Act is to provide an orderly and continuing means of federal assistance to state and local governments to alleviate the suffering and damage resulting from disasters by identifying and improving the climate and natural hazard resilience of vulnerable communities.

#### *Section 3. Natural hazard risk assessment*

Subsection (a) adds a section 206 to Title II of the Stafford Act (42 U.S.C. 5131 et seq.).

Section 206(a) defines the terms “community disaster resilience zone” and “eligible entity.”

Section 206(b) requires the President to continue to maintain a natural hazard risk assessment and mapping program that is available to the public.

Section 206(c) describes the features that must be included in a natural disaster hazard risk assessment and mapping tool required under subsection (b).

Section 206(d) requires the designation of Community Disaster Resilience Zones (CDRZ), as the communities most at risk as determined from the natural hazard assessment tool described in section 206(b). CDRZs will be the 50 census tracts assigned the highest individual hazard risk ratings and not less than 1 percent of census tracts of the total assigned a high risk rating in each state. High risk as currently defined in the NRI can include “very high” and “relatively high.” This section also requires the President to consider making CDRZ designations in coastal, inland, urban, suburban, and rural areas in order to achieve a geographic balance. Finally, the section requires a CDRZ designation to be effective for at least 5 years.

Section 206(e) requires the review and update of any natural hazard risk assessment tool described in subsection (b) no later than 180 days after the enactment of this bill and not less frequently than every 5 years thereafter.

Section 206(f) requires that as part of the updates required in subsection (e), the President consult with, at minimum, a list of specified department and agency heads on whether to include additional data to the natural hazard risk assessment tool regarding insights on climate change and past and future natural hazard risk.

Section 206(g) gives the President the authority to increase the federal cost share through the Building Resilient Infrastructure and Communities (BRIC) program to not more than 90 percent for mitigation or resilience projects that are within or primarily benefit a CDRZ.

Section 206(h) authorizes the President to provide financial, technical, or other assistance for resilience or mitigation project planning assistance to an eligible entity that plans to perform a resilience or mitigation project within, or that primarily benefits, a CDRZ before the date on which the permanent work on the resilience or mitigation project begins.

Section 206(i) gives the President the authority to review mitigation or resilience projects by eligible entities that are planned to be performed within, or primarily benefit, a CDRZ to determine if they meet certain evaluation criteria. If so, the mitigation or resilience project would become certified by the President.

Subsection (b) provides that nothing in Section 206 of the Stafford Act, as added by this bill, shall be construed to prohibit the FEMA Administrator from using amounts available to maintain and update the NRI until either the date on which those amounts are transferred to another sources, or 3 years after the date of enactment of this bill, whichever occurs earlier.

## V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The

Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, August 11, 2022.*

Hon. GARY PETERS,  
*Chairman, Committee on Homeland Security and Governmental Affairs,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 3875, the Community Disaster Resilience Zones Act of 2022.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jon Sperl.

Sincerely,

PHILLIP L. SWAGEL,  
*Director.*

Enclosure.

At a Glance			
<b>S. 3875, Community Disaster Resilience Zones Act of 2022</b>			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on March 30, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	27	95
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	27	95
Spending Subject to Appropriation (Outlays)	0	3	7
Statutory pay-as-you-go procedures apply?	Yes	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

The bill would

- Authorize the Federal Emergency Management Agency (FEMA) to pay up to 90 percent of the total cost of grants under the Building Resilient Infrastructure and Communities (BRIC) program within designated resilience zones
  - Require FEMA to improve the National Risk Index (NRI) and designate census tracts at the highest risk of natural disasters as community disaster resilience zones
- Estimated budgetary effects would mainly stem from
- Increasing the share of costs the federal government would cover for certain types of disaster relief



- Increasing administrative costs to improve the NRI, identify community disaster resilience zones, and administer BRIC grants

Areas of significant uncertainty include

- Projecting total spending for federal disaster assistance
- Predicting how much and how often FEMA would raise the federal cost share for BRIC grants

Bill summary: S. 3875 would codify the National Risk Index (NRI), a tool used to assess the vulnerability of communities to natural hazards, and the bill would require the Federal Emergency Management Agency (FEMA) to improve, update, and integrate the NRI into federal disaster relief programs. The bill would require FEMA to use NRI data to identify census tracts with the highest vulnerability ratings for natural disasters and designate those areas as community disaster resilience zones. In addition, for projects located within those zones, S. 3875 would authorize FEMA to use the Disaster Relief Fund (DRF) to increase the share the federal government covers for grants under the Building Resilient Infrastructure and Communities (BRIC) program. The bill would allow the federal contribution to rise from the current 75 percent to 90 percent; state, local, and tribal governments would continue to fund the remainder of the grants.

Estimated federal cost: The estimated budgetary effect of S. 3875 is shown in Table 1. The costs of the legislation fall within budget function 450 (community and regional development).

TABLE 1.—ESTIMATED BUDGETARY EFFECTS OF S. 3875

	By fiscal year, millions of dollars—												
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2022– 2027	2022– 2032
Increases in Direct Spending													
Estimated Budget Authority .....	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays .....	0	1	2	5	8	11	14	15	14	13	12	27	95
Increases in Spending Subject to Appropriation													
Estimated Authorization .....	0	1	1	1	1	1	1	1	1	1	1	3	7
Estimated Outlays .....	0	*	1	1	1	1	1	1	1	1	1	3	7

Components may not sum to totals because of rounding; \* = between zero and \$500,000.

Basis of estimate: For this estimate, CBO assumes that the bill will be enacted late in fiscal year 2022 and that FEMA would begin implementing its requirements in 2023. CBO's estimate of outlays in each year is based on historical patterns of spending for FEMA programs that provide grants for disaster mitigation.

Direct spending: Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, FEMA awards grants to state and local governments under the BRIC program to mitigate the effects of future disasters; those grants are funded from amounts set aside within the DRF.<sup>1</sup> Under current law, the federal cost share covers 75 percent of eligible expenses and state, local, and tribal governments are responsible for the remaining 25 percent. In its current

<sup>1</sup>Under current law, FEMA can set aside up to 6 percent of the estimated costs of assistance under the Stafford Act for the BRIC program. Since the program was established in 2018, FEMA has set aside more than \$2 billion in DRF funding for mitigation projects, although most amounts have not yet been awarded. In 2022, FEMA has obligated about \$100 million for the program.

baseline projections, CBO estimates that federal and state spending for those projects will total \$6.7 billion over the 2023–2032 period, of which FEMA will pay \$5.3 billion.

S. 3875 would require FEMA to use NRI data to identify census tracts with the highest vulnerability ratings for natural disasters and designate those areas as community disaster resilience zones. For communities located within those zones, S. 3875 would allow FEMA to increase the federal cost share—from the current 75 percent to 90 percent—for mitigation projects funded by BRIC grants.<sup>2</sup> CBO expects that FEMA would designate the first zones early in 2023 and begin awarding higher cost shares in the same year.

CBO expects that spending for BRIC grants would increase under the bill. The extent of that increase would depend on how often the agency would choose to increase the federal cost share. Under current law for the Public Assistance Program, the largest FEMA relief program, the agency can raise the share above 75 percent if the effects of a disaster are sufficiently severe—typically, if the per capita cost of the damage within a jurisdiction exceeds some specified amount. For the 125 major disasters declared in 2019 and 2020, for example, FEMA covered 100 percent of costs for 4 percent of the disasters, 90 percent of costs for 7 percent, and the normal 75 percent of costs for the remainder.<sup>3</sup> Under the expectation that FEMA would increase its share of costs at the same frequency as prior disasters, CBO estimates that under the bill the agency would cover 90 percent of costs for about 10 percent of all BRIC grants.

On that basis, CBO estimates that enacting the bill would increase direct spending by \$1 million in 2023, with that cost rising to \$15 million in 2029 and declining thereafter. In total, CBO estimates, enacting the bill would increase direct spending by \$95 million over the 2022–2032 period.

Disaster assistance for programs authorized under the Stafford Act is paid from the DRF. Because S. 3875 would expand the use of previously appropriated balances from that fund, some of which CBO estimates would be unspent over the 2022–2032 period, the bill would increase direct spending. That higher spending would be offset by reductions in spending after 2032.

Spending subject to appropriation: In addition to codifying the NRI, S. 3875 would require FEMA to review the methodology for calculating risk scores for communities and census tracts covered by the NRI, gather public input, and incorporate additional data and metrics into the index. The bill would require an initial update of the NRI, and then again at five-year intervals. On that schedule, using the NRI, FEMA would be required to designate as community disaster resilience zones the 50 census tracts nationwide assigned the highest vulnerability ratings and the top 1 percent of such tracts in each state.

Currently, FEMA operates the NRI with 16 employees at a cost of \$3 million annually. Under S. 3875, CBO expects, the agency would incur additional costs to integrate the index into the oper-

<sup>2</sup> FEMA covers 100 percent of management costs incurred by recipients of BRIC grants, which totaled about 15 percent of program spending in 2020. CBO has excluded those costs from this analysis because FEMA already provides the maximum amount.

<sup>3</sup> The federal government paid 100 percent of costs for another 59 disasters declarations declared in response to the coronavirus pandemic. Because of the unusual nature of the pandemic, CBO excluded those costs from calculations for this estimate.

ations of BRIC and several other disaster relief programs authorized under the Stafford Act. Using information from FEMA, CBO expects that the agency would need four additional employees, at an average annual cost of \$160,000 in 2023, to implement the bill's requirements. After accounting for anticipated inflation, CBO estimates that those costs would total less than \$1 million annually and \$7 million over the 2022–2032 period; any spending would be subject to the availability of appropriated funds.

**Uncertainty:** This estimate is subject to considerable uncertainty. Because S. 3875 would increase the share of costs that the federal government could cover for mitigation grants, the cost of the legislation would principally depend upon how much FEMA allocates for the BRIC program and how often FEMA would raise the federal cost share for those grants.<sup>4</sup> CBO's estimate of the bill's costs is informed by historical data about spending under other mitigation programs run by FEMA and the agency's decisions in response to past disasters, but the ultimate amounts that FEMA will cover are difficult to predict. Based on the needs of recipient communities in the future, if FEMA decided to increase or decrease the amounts allocated to the BRIC program—or the proportion of costs the federal government covers—spending under S. 3875 would, in turn, be higher or lower than CBO estimates.

**Pay-As-You-Go considerations:** The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

**Increase in long-term deficits:** CBO estimates that enacting S. 3875 would not increase on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2033.

**Mandates:** None.

**Estimate prepared by:** Federal Costs: Jon Sperl; Mandates: Rachel Austin.

**Estimate reviewed by:** Justin Humphrey, Chief, Finance, Housing, and Education Cost Estimates Unit; H. Samuel Papenfuss, Deputy Director of Budget Analysis.

## VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows: (existing law proposed to be omitted is enclosed in brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in *roman*):

<sup>4</sup>The coronavirus pandemic resulted in a large amount of spending from the DRF that in turn increased the amount of funding set aside for the BRIC program. The Infrastructure Investment and Jobs Act authorized an additional \$200 million annually over the 2022–2026 period for the program. As a result, CBO's projection of BRIC spending is elevated over most of the decade, increasing the estimated cost of the higher cost share authorized by S. 3875.

**ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT**

**SEC. 1. SHORT TITLE.**

This Act may be cited as the “Robert T. Stafford Disaster Relief and Emergency Assistance Act”.

**TITLE I—FINDINGS, DECLARATIONS, AND DEFINITIONS**

**SEC. 101. FINDINGS AND DECLARATIONS**

(a) \* \* \*

(b) It is the intent of the Congress, by this chapter, to provide an orderly and continuing means of assistance by the Federal Government to State and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from such disasters by—

(1) revising and broadening the scope of existing disaster relief programs;

(2) encouraging the development of comprehensive disaster preparedness and assistance plans, programs, capabilities, and organizations by the States and by local governments;

(3) achieving greater coordination and responsiveness of disaster preparedness and relief programs;

(4) encouraging individuals, States, and local governments to protect themselves by obtaining insurance coverage to supplement or replace governmental assistance;

(5) encouraging hazard mitigation measures to reduce losses from disasters, including development of land use and construction regulations; [and]

(6) providing Federal assistance programs for both public and private losses sustained in disasters; and

(7) identifying and improving the climate and natural hazard resilience of vulnerable communities.

\* \* \* \* \*

**TITLE II—DISASTER PREPAREDNESS AND MITIGATION ASSISTANCE**

\* \* \* \* \*

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

(a) *DEFINITIONS.—In this section:*

(1) *COMMUNITY DISASTER RESILIENCE ZONE.—The term ‘community disaster resilience zone’ means a census tract designated by the President under subsection (d)(1).*

(2) *ELIGIBLE ENTITY.—The term ‘eligible entity’ means—*

- (A) *a State;*
- (B) *an Indian tribal government; or*
- (C) *a local government.*

(b) *PRODUCTS.—The President shall continue to maintain a natural hazard assessment program that develops and maintains products that—*

- (1) *are available to the public; and*

- (2) *define natural hazard risk across the United States.*
- (c) **FEATURES.**—*The products maintained under subsection (b) shall, for lands within States and areas under the jurisdiction of Indian tribal governments—*
- (1) *show the risk of natural hazards; and*
  - (2) *include ratings and data for—*
    - (A) *loss exposure, including population equivalence, buildings, and agriculture;*
    - (B) *social vulnerability;*
    - (C) *community resilience; and*
    - (D) *any other element determined by the President.*
- (d) **COMMUNITY DISASTER RESILIENCE ZONES DESIGNATION.**—
- (1) **IN GENERAL.**—*Not later than 30 days after the date on which the President makes the update and enhancement required under subsection (e)(4), and not less frequently than every 5 years thereafter, the President shall identify and designate community disaster resilience zones, which shall be—*
    - (A) *the 50 census tracts assigned the highest individual hazard risk ratings; and*
    - (B) *subject to paragraph (3), in each State, not less than 1 percent of census tracts that are assigned high individual risk ratings.*
  - (2) **RISK RATINGS.**—*In carrying out paragraph (1), the President shall use census tract risk ratings derived from a product maintained under subsection (b) that—*
    - (A) *reflect—*
      - (i) *high levels of individual hazard risk ratings based on an assessment of the intersection of—*
        - (I) *loss to population equivalence;*
        - (II) *buildings value; and*
        - (III) *agriculture value;*
      - (ii) *high social vulnerability ratings and low community resilience ratings; and*
      - (iii) *any other elements determined by the President; and*
    - (B) *reflect the principal natural hazard risks identified for the respective census tracts.*
  - (3) **GEOGRAPHIC BALANCE.**—*In identifying and designating the community disaster resilience zones described in paragraph (1)(B)—*
    - (A) *for the purpose of achieving geographic balance, when applicable, the President shall consider making designations in coastal, inland, urban, suburban, and rural areas; and*
    - (B) *the President shall include census tracts on Tribal lands located within a State.*
  - (4) **DURATION.**—*The designation of a community disaster resilience zone under paragraph (1) shall be effective for a period of not less than 5 years.*
  - (e) **REVIEW AND UPDATE.**—*Not later than 180 days after the date of enactment of the Community Disaster Resilience Zones Act of 2022, and not less frequently than every 5 years thereafter, the President shall—*
    - (1) *with respect to any product that is a natural hazard risk assessment—*

- (A) review the underlying methodology of the product; and
- (B) receive public input on the methodology and data used for the product;
- (2) consider including additional data in any product that is a natural hazard risk assessment, such as—
  - (A) the most recent census tract data;
  - (B) data from the American Community Survey of the Bureau of the Census, a successor survey, a similar survey, or another data source, including data by census tract on housing characteristics and income;
  - (C) information relating to development, improvements, and hazard mitigation measures;
  - (D) data that assesses past and future loss exposure, including analysis on the effects of a changing climate on future loss exposure;
  - (E) data from the Resilience Analysis and Planning Tool of the Federal Emergency Management Agency; and
  - (F) other information relevant to prioritizing areas that have—
    - (i) high risk levels of—
      - (I) natural hazard loss exposure, including population equivalence, buildings, infrastructure, and agriculture; and
      - (II) social vulnerability; and
    - (ii) low levels of community resilience;
- (3) make publicly available any changes in methodology or data used to inform an update to a product maintained under subsection (b); and
- (4) update and enhance the products maintained under subsection (b), as necessary.
- (f) **NATURAL HAZARD RISK ASSESSMENT INSIGHTS.**—In determining additional data to include in products that are natural hazard risk assessments under subsection (e)(2), the President shall consult with, at a minimum—
  - (1) the Administrator of the Federal Emergency Management Agency;
  - (2) the Secretary of Agriculture and the Chief of the Forest Service;
  - (3) the Secretary of Commerce, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the Bureau of the Census, and the Director of the National Institute of Standards and Technology;
  - (4) the Secretary of Defense and the Commanding Officer of the United States Army Corps of Engineers;
  - (5) the Administrator of the Environmental Protection Agency;
  - (6) the Secretary of the Interior and the Director of the United States Geological Survey;
  - (7) the Secretary of Housing and Urban Development; and
  - (8) the Director of the Federal Housing Finance Agency.
- (g) **COMMUNITY DISASTER RESILIENCE ZONE.**—With respect to financial assistance provided under section 203(i) to perform a resilience or mitigation project within, or that primarily benefits, a community disaster resilience zone, the President may increase the

amount of the Federal share described under section 203(h) to not more than 90 percent of the total cost of the resilience or mitigation project.

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

(1) **IN GENERAL.**—The President may provide financial, technical, or other assistance under this title to an eligible entity that plans to perform a resilience or mitigation project within, or that primarily benefits, a community disaster resilience zone.

(2) **PURPOSE.**—The purpose of assistance provided under paragraph (1) shall be to carry out activities in preparation for a resilience or mitigation project or seek an evaluation and certification under subsection (i)(2) for a resilience or mitigation project before the date on which permanent work of the resilience or mitigation project begins.

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

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

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

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

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

(A) **IN GENERAL.**—Not later than 120 days after the date on which an eligible entity submits an application under paragraph (1), the President shall evaluate the application to determine whether the resilience or mitigation project that the entity plans to perform within, or that primarily benefits, a community disaster resilience zone—

(i) meets or exceeds hazard-resistant, consensus-based codes, specifications, and standards;

(ii) is designed to reduce injuries, loss of life, and damage and destruction of property, such as damage to critical services and facilities; and

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

(B) **CERTIFICATION.**—If the President determines that an application submitted under paragraph (1) meets the criteria described in subparagraph (A), the President shall certify the proposed resilience or mitigation project.

(C) **EFFECT OF CERTIFICATION.**—The certification of a proposed resilience or mitigation project under subparagraph (B) shall not be construed to exempt the resilience or mitigation project from the requirements of any other law.

(3) **PROJECTS CAUSING DISPLACEMENT.**—With respect to a resilience or mitigation project certified under paragraph (2)(B) that involves the displacement of a resident from any occupied housing unit, the entity performing the resilience or mitigation project shall—

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

*(i) of a comparable size;*

*(ii) located in the same local community or a community with reduced hazard risk; and*

*(iii) offered under similar costs, conditions, and terms;*

*(B) ensure that property acquisitions resulting from the displacement and made in connection with the resilience or mitigation project—*

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

*(ii) are the result of a voluntary decision by the resident; and*

*(C) plan for robust public participation in the resilience or mitigation project.*

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