

118TH CONGRESS
1ST SESSION

H. R. 4296

To direct the Secretary of the Interior to establish a grant program to assist primarily low-income individuals in making their homes and property more resilient to the impacts of climate change, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2023

Mr. MULLIN (for himself, Ms. BROWN, Mr. CARTER of Louisiana, Ms. CROCKETT, Mr. DOGGETT, Ms. ESHOO, Mr. EVANS, Ms. NORTON, Ms. KAMPLAGER-DOVE, Mr. KHANNA, Ms. LEE of California, Mr. PANETTA, Mr. PETERS, Ms. PORTER, Mr. SCHIFF, Mr. SWALWELL, and Ms. TLAIB) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of the Interior to establish a grant program to assist primarily low-income individuals in making their homes and property more resilient to the impacts of climate change, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Weatherization Resil-
3 ience and Adaptation Program Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Human accelerated climate change is caus-
7 ing significant shifts in global surface and atmos-
8 pheric temperatures, accelerating the frequency of
9 extreme weather events around the globe.

10 (2) Extreme weather events create environ-
11 mental hazards such as excessive flooding, fire, heat,
12 wind, and drought that have catastrophic impacts on
13 frontline communities, who experience the worst and
14 most immediate impacts of our climate crisis and
15 often bear the brunt of such events seasonally, cre-
16 ating a cyclical pattern of disruption and destruc-
17 tion.

18 (3) Individuals can take steps to prevent and
19 mitigate the worst impacts of extreme weather
20 events on their home and property by implementing
21 resilience and adaptation best practices, but the cost
22 of these solutions puts them out of reach for many
23 households.

24 (4) Low-income homeowners and individuals
25 who reside in affordable housing disproportionately
26 live in areas that face the greatest threat from ex-

1 treme weather events, yet can least afford the
2 changes to their property to make them more resil-
3 ient to disasters and adapted to the changing cli-
4 mate.

5 **SEC. 3. DEFINITIONS.**

6 In this Act, the following definitions apply:

7 (1) CLIMATE CHANGE.—The term “climate
8 change” means long-term shifts in temperatures and
9 weather patterns.

10 (2) CLIMATE-DRIVEN HAZARDS.—The term
11 “climate-driven hazards” means hazards, such as
12 floods, wildfires, landslides, extreme heat, extreme
13 wind, and atmospheric rivers that have a human,
14 economic, and ecological impact with increased fre-
15 quency.

16 (3) DIRECTOR.—The term “Director” means
17 the Director of National Institute of Standards and
18 Technology.

19 (4) ELIGIBLE PROGRAM PARTICIPANT.—The
20 term “eligible program participant” means—

21 (A) a State;

22 (B) a federally recognized Indian Tribe;

23 and

24 (C) a Native Hawaiian organization.

1 (5) ELIGIBLE PROPERTY OWNERS.—The term
2 “eligible property owner” means—

3 (A) a low-income property owner;

4 (B) an owner of a property of which the
5 deed, ground lease, or a loan for the improve-
6 ment thereof has a restriction or covenant re-
7 lated to housing affordability which will not ex-
8 pire for at least 5 years following the receipt of
9 funds awarded under this Act;

10 (C) an owner of a multifamily dwelling
11 building where more than 50 percent of dwell-
12 ing units are occupied by residents whose rent
13 is subsidized under a covered housing program
14 listed in section 41411(a)(3) of the Violence
15 Against Women Act of 1994 (34 U.S.C.
16 12491(a)(3)); and

17 (D) an owner of a property used as a com-
18 munity of manufactured homes.

19 (6) LOW-INCOME.—The term “low-income”
20 means income in relation to family size that is at or
21 below 300 percent of the poverty level determined in
22 accordance with criteria established by the Director
23 of the Office of Management and Budget, except
24 that the Secretary may allow an eligible program
25 participant to use a higher level if, after receiving a

1 justification from such eligible program participant,
2 the Secretary determines that such a higher level is
3 necessary to carry out the purposes of this part and
4 is consistent with the eligibility criteria established
5 in this Act.

6 (7) MANUFACTURED HOME.—The term “manu-
7 factured home” has the meaning given that term
8 under section 603(6) of the Manufactured Housing
9 Construction and Safety Standards Act of 1974 (42
10 U.S.C. 5402(6)).

11 (8) NATURAL SOLUTIONS.—The term “natural
12 solutions” means ways of adapting or making prop-
13 erty more resilient to climate-driven hazards by
14 making changes that imitate naturally occurring eco-
15 logical functions that mitigate such hazards.

16 (9) RESILIENCE AND ADAPTATION STAND-
17 ARDS.—The term “resilience and adaptation stand-
18 ards” means a set of building, landscaping, and con-
19 struction guidelines for how property owners may
20 preemptively mitigate the impacts of extreme pre-
21 cipitation, flooding, wildfires, heat, and other haz-
22 ards attributable to global climate change in their
23 dwellings and surrounding non-dwelling property.

24 (10) SECRETARY.—The term “Secretary” re-
25 fers to the Secretary of the Interior.

1 (11) STATE.—The term “State” means—
2 (A) a State;
3 (B) the District of Columbia; and
4 (C) any territory or possession of the
5 United States.

6 **SEC. 4. GRANT PROGRAM.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary shall es-
9 tablish a grant program to award grants to eligible pro-
10 gram participants to assist eligible property owners with
11 dwelling and property adaptations to increase their ability
12 to withstand climate-driven hazards.

13 (b) APPLICATION.—Eligible program participants ap-
14 plying for a grant under this section shall—

15 (1) submit to the Secretary an application—
16 (A) at such time and in such manner as
17 the Secretary determines appropriate; and
18 (B) containing a description of—
19 (i) the eligible activities to be under-
20 taken with the grant funds;
21 (ii) how eligible program participants
22 will prioritize eligible property owners in
23 awarding funding based on factors that
24 take into account varying levels of disaster
25 risk and means;

1 (iii) how eligible property owners
2 awarded funding will be required to report
3 on their use of funds; and

4 (iv) other information, as the Sec-
5 retary determines appropriate; and

6 (2) if awarded funding under this Act, accept
7 and process applications for funding from eligible
8 property owners using an online system accessible on
9 a smartphone or personal electronic device in addi-
10 tion to accepting and processing applications
11 through a paper format.

12 (c) USE OF FUNDS.—

13 (1) ELIGIBLE PROGRAM PARTICIPANTS.—Eligi-
14 ble program participants—

15 (A) shall use funds awarded under this Act
16 to award grants to eligible property owners for
17 resilience and adaptation activities to mitigate
18 the impacts of climate change, including related
19 modifications needed to maintain the existing
20 accessibility of a property to individuals with
21 disabilities, as the Secretary may determine
22 after the consultation prescribed under section
23 5(a);

24 (B) shall be required to conduct outreach
25 to educate eligible property owners, regardless

1 of whether such property owners have received
2 funds awarded under this Act, about how they
3 can make structural improvements to their
4 homes and property;

5 (C) may use up to 15 percent of funds
6 awarded under this Act for expenses related to
7 administering such funds and for the outreach
8 required under subparagraph (B);

9 (D) shall not add additional eligibility re-
10 quirements that materially change who is eligi-
11 ble for funding under this Act or add proce-
12 dural burdens that limit property owners from
13 applying for, and receiving, funding according
14 to rules promulgated under section 5 of this
15 Act;

16 (E) shall only award grants for activities
17 related to buildings, assets, or land located in
18 areas where climate-driven hazards are more
19 likely to occur as a result of climate change;
20 and

21 (F) when awarding grants to the owner of
22 a multifamily building—

23 (i) may require financial participation
24 from such owner as a condition of award-

1 ing a grant for an activity with respect to
2 that multifamily building;

3 (ii) in the case of projects funded
4 under this Act that involve the displace-
5 ment of a resident from any occupied
6 housing unit, shall only award a grant on
7 the condition that such owner—

8 (I) provides, at the option of the
9 resident, a suitable and habitable
10 housing unit that is, with respect to
11 the housing unit from which the resi-
12 dent is displaced—

13 (aa) of a comparable size;

14 (bb) located in the same
15 local community or a community
16 with reduced hazard risk; and

17 (cc) offered under similar
18 costs, conditions, and terms; and

19 (II) ensures that resident dis-
20 placed are provided with the ability to
21 return to their former unit, or a com-
22 parable unit located in the same mul-
23 tifamily dwelling following the comple-
24 tion of the grant-funded project; and

1 (iii) shall only award a grant on the
2 condition that such owner refrains from—

3 (I) raising rent on dwelling units
4 in such multifamily building as a re-
5 sult of any improvements paid for by
6 funding awarded under this Act; and

7 (II) increasing rent on such
8 dwelling units for any reason for at
9 least 2 years unless specific rent in-
10 creases during those 2 years were
11 stipulated in agreements made prior
12 to the awarding of funding under this
13 Act to which such owner is a party.

14 (2) ELIGIBLE PROPERTY OWNERS.—Eligible
15 property owners shall use funds awarded under this
16 Act to—

17 (A) make changes to existing buildings or
18 other assets as necessary to meet the purpose
19 of the program established under this section;
20 and

21 (B) implement natural solutions to adapt
22 land to changing conditions.

1 **SEC. 5. RULEMAKING.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, the Secretary shall pro-
4 mulgate rules to carry out this Act in consultation with—

5 (1) the Secretary of Housing and Urban Devel-
6 opment;

7 (2) the Secretary of Health and Human Serv-
8 ices;

9 (3) the Administrator of the Environmental
10 Protection Agency;

11 (4) the Administrator of the Federal Emer-
12 gency Management Agency; and

13 (5) the heads of such other Federal depart-
14 ments and agencies as the Secretary determines ap-
15 propriate.

16 (b) REQUIRED PROVISIONS.—The Secretary shall en-
17 sure that regulations promulgated pursuant to this section
18 include provisions that—

19 (1) in coordination with the Director, prescribe
20 resilience and adaptation standards;

21 (2) provide guidance to eligible program partici-
22 pants in the implementation of this Act;

23 (3) create audits and annual reporting require-
24 ments as may be necessary or appropriate to deter-
25 mine whether an eligible program participant has
26 carried out activities using grant funds—

1 (A) in a timely and effective manner; and

2 (B) in accordance with the requirements of
3 this Act and other applicable laws; and

4 (4) develop and make publicly available per-
5 formance targets for public review, which shall in-
6 clude spending thresholds for each year from the
7 date on which funds are obligated by the Secretary
8 to the grantee until such time all funds have been
9 expended.

10 **SEC. 6. STANDARDS.**

11 (a) PUBLICATION.—Not later than 1 year after the
12 date of the enactment of this Act, the Director shall de-
13 velop and publish on the National Institute of Standards
14 and Technology website resilience and adaptation stand-
15 ards, after consultation with—

16 (1) relevant Federal departments and agencies
17 as the Director determines appropriate; and

18 (2) private sector organizations as the Director
19 determines appropriate.

20 (b) REQUIREMENTS.—The resilience and adaptation
21 standards published under this section shall take into con-
22 sideration—

23 (1) the cost of building materials;

24 (2) fair labor standards;

1 (3) variation in impacts of climate change, geo-
2 graphical and topographical location, and pre-exist-
3 ing weatherization projects; and

4 (4) natural solutions.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to carry out
7 this Act—

8 (1) to the Secretary, \$250,000,000 for each of
9 fiscal years 2024 through 2029; and

10 (2) to the Director, \$2,000,000 for each of fis-
11 cal years 2024 through 2026.

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