

117TH CONGRESS
2D SESSION

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.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2022

Mr. PETERS (for himself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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 Re-
8 lief and Emergency Assistance Act (42 U.S.C. 5121(b))
9 is amended—

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

3 (2) in paragraph (6), by adding “; and” at the
4 end; and

5 (3) by adding at the end the following:

6 “(7) identifying and improving the climate and
7 natural hazard resilience of vulnerable commu-
8 nities.”.

9 **SEC. 3. NATURAL DISASTER RISK ASSESSMENT.**

10 (a) IN GENERAL.—Title II of the Robert T. Stafford
11 Disaster Relief and Emergency Assistance Act (42 U.S.C.
12 5131 et seq.) is amended by adding at the end the fol-
13 lowing:

14 **“SEC. 206. NATURAL DISASTER RISK ASSESSMENT.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) COMMUNITY DISASTER RESILIENCE
17 ZONE.—The term ‘community disaster resilience
18 zone’ means a census tract designated by the Presi-
19 dent under subsection (d)(1).

20 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
21 tity’ means—

22 “(A) a State;

23 “(B) an Indian tribal government; or

24 “(C) a local government.

1 “(b) PRODUCTS.—The President shall continue to
2 maintain a natural disaster assessment program that de-
3 velops and maintains products that—

4 “(1) are available to the public; and

5 “(2) show the risk of natural hazards across
6 the United States, such as—

7 “(A) the National Risk Index or a suc-
8 cessor product; or

9 “(B) a natural disaster hazard risk assess-
10 ment and mapping tool that is complementary
11 to the National Risk Index.

12 “(c) FEATURES.—The products maintained under
13 subsection (b) shall, for lands within States and areas
14 under the jurisdiction of Indian tribal governments—

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

16 “(2) include ratings and data for—

17 “(A) loss exposure, including population
18 equivalence, buildings, and agriculture;

19 “(B) social vulnerability;

20 “(C) community resilience; and

21 “(D) any other element determined by the
22 President.

23 “(d) COMMUNITY DISASTER RESILIENCE ZONES
24 DESIGNATION.—

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

8 “(A) the 50 census tracts assigned the
9 highest individual hazard risk ratings under
10 paragraph (2); and

11 “(B) subject to paragraph (3), in each
12 State, not less than 1 percent of census tracts
13 that are assigned a high risk rating under para-
14 graph (2).

15 “(2) RISK RATINGS.—In carrying out para-
16 graph (1), the President shall use census tract risk
17 ratings that, with respect to a product maintained
18 under subsection (b)—

19 “(A) are derived from the product;

20 “(B) reflect whether a census tract has
21 been assigned, under the product—

22 “(i) high levels of individual hazard
23 risk ratings based on an assessment of the
24 intersection of—

1 “(I) loss to population equiva-
2 lence;

3 “(II) buildings value; and

4 “(III) agriculture value; and

5 “(ii) high social vulnerability ratings
6 and low community resilience ratings; and

7 “(C) reflect the principal natural hazard
8 risks identified for the census tract under the
9 product.

10 “(3) GEOGRAPHIC BALANCE.—In identifying
11 and designating the community disaster resilience
12 zones described in paragraph (1)(B)—

13 “(A) for the purpose of achieving geo-
14 graphic balance, when applicable, the President
15 shall consider making designations in coastal,
16 inland, urban, suburban, and rural areas; and

17 “(B) the President shall include census
18 tracts on Tribal lands located within a State.

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

23 “(1) review the underlying methodology of any
24 product that is a natural disaster hazard risk assess-
25 ment;

1 “(2) consider including additional data in any
2 product that is a natural disaster hazard risk assess-
3 ment, such as—

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

5 “(B) data from the American Community
6 Survey of the Bureau of the Census, a suc-
7 cessor survey, a similar survey, or another data
8 source, including data by census tract on hous-
9 ing characteristics and income;

10 “(C) information relating to development,
11 improvements, and hazard mitigation measures;

12 “(D) natural disaster risk assessment in-
13 sights on climate change and past and future
14 natural hazard risk; and

15 “(E) other information relevant to
16 prioritizing areas that have—

17 “(i) high risk levels of—

18 “(I) natural hazard loss expo-
19 sure, including population equivalence,
20 buildings, infrastructure, and agri-
21 culture; and

22 “(II) social vulnerability; and

23 “(ii) low levels of community resil-
24 ience;

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

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

6 “(f) NATURAL DISASTER HAZARD RISK ASSESS-
7 MENT INSIGHTS.—In determining the information to be
8 included in the natural disaster hazard risk assessment
9 insights described in subsection (e)(2)(D), the President
10 shall consult with, at a minimum—

11 “(1) the Secretary of Homeland Security and
12 the Administrator of the Federal Emergency Man-
13 agement Agency;

14 “(2) the Secretary of Agriculture and the Chief
15 of the Forest Service;

16 “(3) the Secretary of Commerce, the Adminis-
17 trator of the National Oceanic and Atmospheric Ad-
18 ministration, the Director of the Bureau of the Cen-
19 sus, and the Director of the National Institute of
20 Standards and Technology;

21 “(4) the Secretary of Defense and the Com-
22 manding Officer of the United States Army Corps of
23 Engineers;

24 “(5) the Administrator of the Environmental
25 Protection Agency;

1 “(6) the Secretary of the Interior and the Di-
2 rector of the United States Geological Survey;

3 “(7) the Secretary of Housing and Urban De-
4 velopment; and

5 “(8) the Director of the Federal Housing Fi-
6 nance Agency.

7 “(g) COMMUNITY DISASTER RESILIENCE ZONE.—
8 With respect to financial assistance provided under section
9 203(i) to perform a resilience or mitigation project within,
10 or that primarily benefits, a community disaster resilience
11 zone, the President may increase the amount of the Fed-
12 eral share described under section 203(h).

13 “(h) RESILIENCE OR MITIGATION PROJECT PLAN-
14 NING ASSISTANCE.—

15 “(1) IN GENERAL.—The President may provide
16 financial, technical, or other assistance under this
17 title to an eligible entity that plans to perform a re-
18 silience or mitigation project within, or that pri-
19 marily benefits, a community disaster resilience
20 zone.

21 “(2) PURPOSE.—The purpose of assistance pro-
22 vided under paragraph (1) shall be to carry out ac-
23 tivities in preparation for a resilience or mitigation
24 project or seek an evaluation and certification under
25 subsection (i)(2) for a resilience or mitigation

1 project before the date on which permanent work of
2 the resilience or mitigation project begins.

3 “(3) APPLICATION.—If required by the Presi-
4 dent, an eligible entity seeking assistance under
5 paragraph (1) shall submit an application in accord-
6 ance with subsection (i)(1).

7 “(i) COMMUNITY DISASTER RESILIENCE ZONE
8 PROJECT APPLICATIONS.—

9 “(1) IN GENERAL.—If required by the Presi-
10 dent or other Federal law, an eligible entity shall
11 submit to the President an application at such time,
12 in such manner, and containing or accompanied by
13 such information as the President may reasonably
14 require.

15 “(2) EVALUATION AND CERTIFICATION.—

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

24 “(i) meets or exceeds consensus-based
25 codes, specifications, and standards;

1 “(ii) is designed to reduce injuries,
2 loss of life, and damage and destruction of
3 property, such as damage to critical serv-
4 ices and facilities; and

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

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

13 “(3) PROJECTS CAUSING DISPLACEMENT.—
14 With respect to a resilience or mitigation project cer-
15 tified under paragraph (2)(B) that involves the dis-
16 placement of a resident from any habitable housing
17 unit, the entity performing the resilience or mitiga-
18 tion project shall, to the extent practicable as deter-
19 mined by the President, provide the resident the op-
20 tion to have a suitable and comparable housing unit
21 in the same local community under terms that are
22 similar to the terms of the habitable housing unit
23 from which the resident is displaced.

24 “(4) FLOOD PROTECTION PROJECTS.—With re-
25 spect to a resilience or mitigation project certified

1 under paragraph (2)(B) that is a flood protection
2 project under the jurisdiction of the United States
3 Army Corps of Engineers, the flood protection
4 project shall meet or exceed flood protection stand-
5 ards of the Army Corps of Engineers.”.

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