

117TH CONGRESS
2D SESSION

S. 3875

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Community Disaster
3 Resilience Zones Act of 2022”.

4 **SEC. 2. FINDINGS.**

5 Section 101(b) of the Robert T. Stafford Disaster Re-
6 lief and Emergency Assistance Act (42 U.S.C. 5121(b))
7 is amended—

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

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

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

13 “(7) identifying and improving the climate and
14 natural hazard resilience of vulnerable commu-
15 nities.”.

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

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

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

22 “(a) DEFINITIONS.—In this section:

23 “(1) COMMUNITY DISASTER RESILIENCE
24 ZONE.—The term ‘community disaster resilience
25 zone’ means a census tract designated by the Presi-
26 dent under subsection (d)(1).

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

3 “(A) a State;

4 “(B) an Indian tribal government; or

5 “(C) a local government.

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

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

10 “(2) define natural hazard risk across the
11 United States.

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; and

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

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

17 “(A) reflect—

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

21 “(I) loss to population equiva-
22 lence;

23 “(II) building value; and

24 “(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 geo-
11 graphic balance, when applicable, the President
12 shall consider making designations in coastal,
13 inland, 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
19 years.

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

24 “(1) with respect to any product that is a nat-
25 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 suc-
11 cessor survey, a similar survey, or another data
12 source, including data by census tract on hous-
13 ing characteristics and income;

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

16 “(D) data that assesses past and future
17 loss exposure, including analysis on the effects
18 of a 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 expo-
2 sure, 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
17 minimum—

18 “(1) the Administrator of the Federal Emer-
19 gency 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 Di-
9 rector of the United States Geological Survey;

10 “(7) the Secretary of Housing and Urban De-
11 velopment; and

12 “(8) the Director of the Federal Housing Fi-
13 nance Agency.

14 “(g) COMMUNITY DISASTER RESILIENCE ZONE.—

15 With respect to financial assistance provided under section
16 203(i) to perform a resilience or mitigation project within,
17 or that primarily benefits, a community disaster resilience
18 zone, the President may increase the amount of the Fed-
19 eral share described under section 203(h) to not more
20 than 90 percent of the total cost of the resilience or miti-
21 gation project.

22 “(h) RESILIENCE OR MITIGATION PROJECT PLAN-
23 NING ASSISTANCE.—

24 “(1) IN GENERAL.—The President may provide
25 financial, technical, or other assistance under this

1 title to an eligible entity that plans to perform a re-
2 silience or mitigation project within, or that pri-
3 marily benefits, a community disaster resilience
4 zone.

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

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

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

19 “(i) COMMUNITY DISASTER RESILIENCE ZONE
20 PROJECT APPLICATIONS.—

21 “(1) IN GENERAL.—If required by the Presi-
22 dent or other Federal law, an eligible entity shall
23 submit to the President an application at such time,
24 in such manner, and containing or accompanied by

1 such information as the President may reasonably
2 require.

3 “(2) EVALUATION AND CERTIFICATION.—

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

12 “(i) is designed to reduce injuries, loss
13 of life, and damage and destruction of
14 property, such as damage to critical serv-
15 ices and facilities; and

16 “(ii) substantially reduces the risk of,
17 or increases resilience to, future damage,
18 hardship, loss, or suffering.

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

24 “(C) EFFECT OF CERTIFICATION.—The
25 certification of a proposed resilience or mitiga-

1 tion project under subparagraph (B) shall not
2 be construed to exempt the resilience or mitiga-
3 tion project from the requirements of any other
4 law.

5 “(3) PROJECTS CAUSING DISPLACEMENT.—

6 With respect to a resilience or mitigation project cer-
7 tified under paragraph (2)(B) that involves the dis-
8 placement of a resident from any occupied housing
9 unit, the entity performing the resilience or mitiga-
10 tion project shall—

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

15 “(i) of a comparable size;

16 “(ii) located in the same local commu-
17 nity or a community with reduced hazard
18 risk; and

19 “(iii) offered under similar costs, con-
20 ditions, and terms;

21 “(B) ensure that property acquisitions re-
22 sulting from the displacement and made in con-
23 nection with the resilience or mitigation
24 project—

1 “(i) are deed restricted in perpetuity
2 to preclude future property uses not relat-
3 ing to mitigation or resilience; and

4 “(ii) are the result of a voluntary de-
5 cision by the resident; and

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

8 (b) NATIONAL RISK INDEX FUNDING.—Nothing in
9 section 206 of the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act, as added by subsection (a) of
11 this section, shall be construed to prohibit the Adminis-
12 trator of the Federal Emergency Management Agency
13 from using amounts available to maintain and update the
14 National Risk Index until the earlier of—

15 (1) the date on which those amounts are trans-
16 ferred to another source; and

17 (2) 3 years after the date of enactment of this
18 Act.

1 (c) APPLICABILITY.—The amendments made by this
2 Act shall only apply with respect to amounts appropriated
3 on or after the date of enactment of this Act.

Passed the Senate September 28, 2022.

Attest:

Secretary.

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