

108th CONGRESS
1st Session
H. R. 2608
AN ACT

To reauthorize the National Earthquake Hazards Reduction Program, and for other purposes.

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To reauthorize the National Earthquake Hazards Reduction Program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'National Earthquake Hazards Reduction Program Reauthorization Act of 2003'.

SEC. 2. DEFINITIONS.

Section 4 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new paragraphs:

`(8) The term 'Interagency Coordinating Committee' means the Interagency Coordinating Committee on Earthquake Hazards Reduction established under section 5(a).

`(9) The term 'Advisory Committee' means the Advisory Committee established under section 5(a)(5).'

SEC. 3. NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM.

Section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)) is amended--

(1) by amending subsection (a) to read as follows:

`(a) ESTABLISHMENT-

`(1) IN GENERAL- There is established the National Earthquake Hazards Reduction Program.

`(2) PROGRAM ACTIVITIES- The activities of the Program shall be designed to--

`(A) develop effective measures for earthquake hazards reduction;

`(B) promote the adoption of earthquake hazards reduction measures by Federal, State, and local governments, national standards and model code organizations, architects and engineers, building owners, and others with a role in planning and constructing buildings, structures, and lifelines through--

`(i) grants, contracts, cooperative agreements, and technical assistance;

`(ii) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and

`(iii) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction; and

`(C) improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines, through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

`(3) INTERAGENCY COORDINATING COMMITTEE ON EARTHQUAKE HAZARDS REDUCTION-

`(A) IN GENERAL- There is established an Interagency Coordinating Committee on Earthquake Hazards Reduction chaired by the Director of the National Institute of Standards and Technology (referred to in this subsection as the `Director').

`(B) MEMBERSHIP- The committee shall be composed of the directors of--

`(i) the Federal Emergency Management Agency;

`(ii) the United States Geological Survey;

`(iii) the National Science Foundation;

`(iv) the Office of Science and Technology Policy; and

`(v) the Office of Management and Budget.

`(C) MEETINGS- The Committee shall meet not less than 3 times a year at the call of the Director.

`(D) PURPOSE AND DUTIES- The Interagency Coordinating Committee shall oversee the planning, management, and coordination of the Program. The Interagency Coordinating Committee shall--

`(i) develop, not later than 6 months after the date of enactment of this Act, and update periodically--

`(I) a strategic plan that establishes goals and priorities for the Program activities described under subsection (a)(2); and

`(II) a detailed management plan to implement such strategic plan; and

`(ii) develop a coordinated interagency budget for the Program that will ensure appropriate balance among the Program activities described under subsection (a)(2), and submit such budget to the Director of the Office of Management and Budget at the time designated by that office for agencies to submit annual budgets.

`(4) ANNUAL REPORT- The Interagency Coordinating Committee shall transmit, at the time of the President's budget request to Congress, an annual report to the Committee on Science and the Committee on Resources of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate. Such report shall include--

`(A) the Program budget for the current fiscal year for each agency that participates in the Program, and for each major goal established for the Program activities under subparagraph (3)(A);

`(B) the proposed Program budget for the next fiscal year for each agency that participates in the Program, and for each major goal established for the Program activities under subparagraph (3)(A);

`(C) a description of the activities and results of the Program during the previous year, including an assessment of the effectiveness of the Program in furthering the goals established in the strategic plan under (3)(A);

`(D) a description of the extent to which the Program has incorporated the recommendations of the Advisory Committee;

`(E) a description of activities, including budgets for the current fiscal year and proposed budgets for the next fiscal year, that are carried out by Program agencies and contribute to the Program, but are not included in the Program; and

`(F) a description of the activities, including budgets for the current fiscal year and proposed budgets for the following fiscal year, related to the grant program carried out under subsection (b)(2)(A)(i).

`(5) ADVISORY COMMITTEE-

`(A) IN GENERAL- The Director shall establish an Advisory Committee on Earthquake Hazards Reduction consisting of non-Federal members, including representatives of research and academic institutions, industry standards development organizations, State and local government, and financial communities who are qualified to provide advice on earthquake hazards reduction. The recommendations of the Advisory Committee shall be considered by Federal agencies in implementing the Program.

`(B) ASSESSMENT- The Advisory Committee shall assess--

`(i) trends and developments in the science and engineering of earthquake hazards reduction;

- `(ii) effectiveness of the Program in carrying out the activities under (a)(2);
- `(iii) the need to revise the Program; and
- `(iv) the management, coordination, implementation, and activities of the Program.

`(C) REPORT- Not later than 1 year after the date of enactment of this Act and at least once every 2 years thereafter, the Advisory Committee shall report to the Director on its findings of the assessment carried out under subparagraph (B) and its recommendations for ways to improve the Program. In developing recommendations, the Committee shall consider the recommendations of the United States Geological Survey Scientific Earthquake Studies Advisory Committee.

`(D) FEDERAL ADVISORY COMMITTEE ACT APPLICATION- Section 14 of the Federal Advisory Committee Act (5 App. U.S.C. 14) shall not apply to the Advisory Committee.';

(2) in subsection (b)--

(A) in paragraph (1)--

(i) by striking 'Federal Emergency Management Agency' and all that follows through 'of the Agency' and inserting 'National Institute of Standards and Technology shall have the primary responsibility for planning and coordinating the Program. In carrying out this paragraph, the Director of the Institute';

(ii) by striking subparagraphs (B) and (C) and redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively;

(iii) by inserting after subparagraph (A) the following:

`(B) support the development of performance-based seismic engineering tools, and work with appropriate groups to promote the commercial application of such tools, through earthquake-related building codes, standards, and construction practices;';

(iv) by striking 'The principal official carrying out the responsibilities described in this paragraph shall be at a level no lower than that of Associate Director.'; and

(v) in subparagraph (D), as redesignated by clause (ii), by striking 'National Science Foundation, the National Institutes of Standards and Technology' and inserting 'Federal Emergency Management Agency, the National Science Foundation';

(B) in paragraph (2)(A)--

(i) by striking 'In addition to the lead' and all that follows through 'Agency' and inserting 'The Director of the Federal Emergency Management Agency (in this Act referred to as the 'Agency')'; and

(ii) by amending clause (iii) to read as follows:
(iii) assist the National Institute of Standards and Technology, other Federal agencies, and private sector groups in the preparation and wide dissemination of building codes and practices for structures and lifelines, and aid in the development of performance based codes for buildings, structures, and lifelines that are cost effective and affordable;';

(C) in paragraph (3)--

(i) by inserting 'and other activities' after 'shall conduct research';

(ii) in subparagraphs (C) and (D), by striking 'the Agency' both places it appears and inserting 'the Director of the Federal

Emergency Management Agency and the Director of the National Institute of Standards and Technology';

(iii) in subparagraph (E), by striking 'establish, using existing facilities, a Center for the International Exchange of Earthquake Information' and inserting 'operate, using the National Earthquake Information Center, a forum for the international exchange of earthquake information';

(iv) in subparagraph (F), by striking 'Network' and inserting 'System'; and

(v) by inserting after subparagraph (H) the following new subparagraphs:

(I) work with other Program agencies to coordinate Program activities with similar earthquake hazards reduction efforts in other countries, to ensure that the Program benefits from relevant information and advances in those countries; and

(J) maintain suitable seismic hazard maps in support of building codes for structures and lifelines, including additional maps needed for performance based design approaches.';

(D) in paragraph (4)--

(i) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (E), (F), and (H), respectively;

(ii) by inserting after subparagraph (C) the following:

(D) support research that improves the safety and performance of buildings, structures, and lifeline systems using large-scale experimental and computational facilities;';

(iii) in subparagraph (F) (as so redesignated), by striking ' ; and' and inserting a semicolon; and

(iv) by inserting after subparagraph (F) (as so redesignated) the following:

(G) include to the maximum extent practicable diverse institutions, including Historically Black Colleges and Universities and those serving large proportions of Hispanics, Native Americans, Asian-Pacific Americans, and other underrepresented populations; and'; and
(E) in paragraph (5), by striking 'The National' and inserting 'In addition to the lead agency responsibilities described under paragraph (1), the National'; and
(3) in subsection (c)(1), by striking 'Agency' and inserting 'Interagency Coordinating Committee'.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) Section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) is amended--

(1) in subsection (a), by adding after paragraph (7) the following new paragraph:

(8) There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this Act \$19,000,000 for fiscal year 2004; \$21,000,000 for fiscal year 2005; and \$23,000,000 for fiscal year 2006. Of such amounts appropriated, not less than \$3,000,000 shall be made available each such fiscal year for supporting the development of performance-based, cost-effective, and affordable codes for buildings, structures, and lifelines.';

(2) in subsection (b), by adding at the end the following: 'There are authorized to be appropriated to the United States Geological Survey for carrying out this Act \$80,000,000 for fiscal year 2004, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System established under section 13; \$83,500,000 for fiscal year 2005, of which not less than \$30,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System established under section 13; \$93,000,000 for fiscal year 2006, of which not less than \$36,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System established under section 13; such sums as may be necessary for fiscal year 2007, of which not less than \$36,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System established under section 13; and such sums as may be necessary for fiscal year 2008, of which not less than \$36,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System established under section 13.';

(3) in subsection (c), by adding at the end the following: 'There are authorized to be appropriated to the National Science Foundation for carrying out this Act \$39,000,000 for fiscal year 2004; \$44,000,000 for fiscal year 2005; and \$47,500,000 for fiscal year 2006.'; and

(4) in subsection (d) by adding at the end the following: `There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this Act \$8,000,000 for fiscal year 2004; \$9,600,000 for fiscal year 2005; and \$12,500,000 for fiscal year 2006. Of such amounts appropriated, not less than \$2,000,000 shall be made available each such fiscal year for supporting the development of performance-based, cost-effective, and affordable codes for buildings, structures, and lifelines.'.

(b) Section 13 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7707) is amended by striking subsection (c).

(c) Section 14(b) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7708(b)) is amended--

(1) in paragraph (3) by striking `and' at the end; and

(2) by striking paragraph (4) and inserting the following:

`(4) \$8,000,000 for fiscal year 2004;

`(5) \$20,000,000 for fiscal year 2005, all of which shall be available for operations and maintenance; and

`(6) \$20,000,000 for fiscal year 2006, all of which shall be available for operations and maintenance.'.

Passed the House of Representatives October 1, 2003.

Attest:

Clerk.

END