

113TH CONGRESS
1ST SESSION

H. R. 2322

To minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2013

Mr. PETERS of California (for himself, Mr. KING of New York, Mr. MURPHY of Florida, Mrs. CAPPS, Mr. POCAN, Mr. HUFFMAN, Ms. SINEMA, and Ms. HAHN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, 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 “Strengthening The Re-
3 silency of Our Nation on the Ground Act” or the
4 “STRONG Act”.

5 **SEC. 2. FINDINGS AND PURPOSE.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) Extreme weather has serious economic costs
9 for Americans, American businesses, and State and
10 local governments. Hurricanes, droughts, floods, tor-
11 nadoes, extreme heat, and extreme cold cause death,
12 result in loss of property and well-being, especially
13 among the most vulnerable populations, and nega-
14 tively impact business activity and economic growth.

15 (2) Superstorm Sandy, which devastated the
16 Eastern United States in late October 2012, re-
17 sulted in more than 100 deaths, the evacuation of
18 hundreds of thousands of people from their homes,
19 power outages affecting more than 8,500,000 homes,
20 massive flooding, gasoline shortages, and a crippled
21 regional energy and transportation infrastructure.
22 As a result of this storm, Congress passed the Dis-
23 aster Relief Appropriations Act, 2013, which appro-
24 priated \$50,500,000,000 for post-Sandy recovery ef-
25 forts.

1 (3) In the past 30 years, there have been more
2 than 130 weather-related disasters in the United
3 States that each generated at least \$1,000,000,000
4 in damages or more than \$880,000,000,000 in total
5 standardized loss. In addition, there have been many
6 other extreme weather events that generated less
7 than \$1,000,000,000 in damages, but still caused
8 immeasurable harm to the Nation's citizens, infra-
9 structure, and economy.

10 (4) Hurricane Katrina led to more than 1,800
11 deaths, property damage exceeding
12 \$80,000,000,000, more than \$120,000,000,000 in
13 Federal spending, and long-term impacts on the
14 economy and livelihoods of those living in the Gulf
15 Coast region.

16 (5) In 2011, one of the most severe and costly
17 years for weather and climate on record, extreme
18 weather hit every region in the United States, result-
19 ing in—

20 (A) prolonged droughts in the South and
21 the West;

22 (B) deadly floods in the Southeast and
23 Midwest;

24 (C) hundreds of devastating tornadoes
25 across the United States;

- (D) Hurricane Irene in the Northeast;
- (E) more than \$50,000,000,000 in weather-related damages;

(F) 14 extreme weather events, which resulted in more than \$1,000,000,000 in damages each and caused a combined death toll of hundreds of people; and

(G) many other extreme weather events with lesser, but still significant, impacts.

(6) In 2012, in addition to Superstorm Sandy,
the United States experienced—

(A) drought conditions in more than 60 percent of the contiguous United States at the peak of the drought, including more than 2,200 counties that have received disaster designations from the Secretary of Agriculture due to the drought;

(B) deadly floods in Minnesota, Tropical Storm Debby in Florida, and Hurricane Isaac in Louisiana;

(C) destructive wildfires on more than 9,000,000 acres across 37 States;

23 (D) power outages affecting more than
24 3,400,000 homes due to severe storms during
25 the summer; and

(E) deadly heat waves, highlighted by July as the warmest month on record for the contiguous United States and more than 9,600 daily high temperature records broken during June, July, and August.

(7) These events and natural disaster trends, when combined with the volatility of weather, ongoing demographic changes, and development in high risk areas, indicate that the negative impacts of extreme weather events and natural disasters have the potential to increase over time. The fact that a significant number of people and assets continue to be located in areas prone to volatile and extreme weather indicates that these events will continue to be expensive and deadly if the United States fails to enhance its resiliency to such events. Recent studies show that the intensity and frequency of some types of, but not all, extreme weather events will likely increase in the future.

1 Sciences' Multi-Hazard Mitigation Council, found
2 that every dollar spent on hazard mitigation yields
3 a savings of \$4 in future losses.

4 (9) There are several efforts currently under-
5 way at the Federal, regional, tribal, State, and local
6 levels that have helped lay the foundation for a fed-
7 erally-coordinated effort to increase the Nation's re-
8 siliency to extreme weather events, such as the Hur-
9 ricane Sandy Rebuilding Task Force, the Presi-
10 dential Policy Directive on National Preparedness
11 (referred to in this Act as "PPD-8"), the National
12 Preparedness System, the whole community ap-
13 proach led by the Department of Homeland Secu-
14 rity, and the Silver Jackets Program by the Army
15 Corps of Engineers. Other recent reports on this
16 subject include the National Academies of Sciences'
17 reports "Disaster Resilience: A National Imperative"
18 and "Building Community Disaster Resilience
19 through Public-Private Collaboration".

20 (b) PURPOSE.—The purpose of this Act is to mini-
21 mize the economic and social costs and future losses of
22 life, property, well-being, business activity, and economic
23 growth by making the United States more resilient to the
24 impacts of extreme weather events over the short- and

1 long-term, thereby creating business and job growth op-
2 portunities by—

3 (1) ensuring that the Federal Government is
4 optimizing its use of existing resources and funding
5 to support State and local officials, businesses, tribal
6 nations, and the public to become more resilient, in-
7 cluding—

8 (A) encouraging the consideration of, and
9 ways to incorporate, extreme weather resilience
10 across Federal operations, programs, policies,
11 and initiatives;

12 (B) promoting improved coordination of
13 existing and planned Federal extreme weather
14 resilience and adaptation efforts that impact ex-
15 treme weather resilience and ensuring their co-
16 ordination with, and support of, State, local, re-
17 gional, and tribal efforts;

18 (C) minimizing Federal policies that may
19 unintentionally hinder or reduce resilience, such
20 as damaging wetlands or other critical green in-
21 frastructure, or lead Federal agencies to oper-
22 ate at cross purposes in achieving extreme
23 weather resilience; and

24 (D) building upon existing related efforts,
25 such as the Hurricane Sandy Rebuilding Task

1 Force, the PPD-8, the National Preparedness
2 System, and the whole community approach;

3 (2) communicating the latest understanding
4 and likely short- and long-term human and economic
5 impacts and risks of extreme weather to businesses
6 and the public;

7 (3) supporting decisionmaking that improves
8 resilience by providing forecasts and projections,
9 data decision-support tools, and other information
10 and mechanisms; and

11 (4) establishing a consistent vision and strategic
12 plan for extreme weather resilience across the Fed-
13 eral Government.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) EXTREME WEATHER.—The term “extreme
17 weather” includes severe and unseasonable weather,
18 heavy precipitation, hurricanes, storm surges, torna-
19 does, other windstorms (including derechos), extreme
20 heat, extreme cold, and other qualifying weather
21 events as determined by the interagency group es-
22 tablished under section 4(a)(1).

23 (2) RESILIENCE.—The term “resilience” means
24 the ability to prepare and plan for, absorb, recover

1 from, and more successfully adapt to adverse events
2 in a timely manner.

3 **SEC. 4. EXTREME WEATHER RESILIENCE GAP AND OVER-**
4 **LAP ANALYSIS.**

5 (a) INTERAGENCY WORKING GROUP.—

6 (1) IN GENERAL.—

7 (A) ESTABLISHMENT.—The Director of
8 the Office of Science and Technology Policy (re-
9 ferred to in this section as the “Director”),
10 with input from the Department of Homeland
11 Security, shall establish and chair an inter-
12 agency working group with Cabinet-level rep-
13 resentation from all relevant Federal agencies.

14 (B) DUTIES.—The working group shall—

15 (i) come together to provide a stra-
16 tegic vision of extreme weather resilience;
17 (ii) conduct a gap and overlap anal-
18 ysis of Federal agencies’ current and
19 planned activities related to achieving
20 short- and long-term resilience to extreme
21 weather and its impacts on the Nation,
22 such as storm surge, flooding, drought,
23 and wildfires; and

17 (i) the gap and overlap analysis under
18 this section; and

19 (ii) the National Extreme Weather
20 Resilience Action Plan under section 5.

1 cooperate with the Office of Science and Technology
2 Policy.

3 (5) DETAILEES.—Upon the request of the Di-
4 rector, each agency or entity referred to in para-
5 graph (1) shall provide the working group with a
6 detailee, without reimbursement from the working
7 group, to support the activities described in sub-
8 section (b), section 5, and section 7(a). Such detailee
9 shall retain the rights, status, and privileges of his
10 or her regular employment without interruption.

11 (6) VOLUNTEER SERVICES.—Notwithstanding
12 section 1342 of title 31, United States Code, the
13 working group may investigate and use such vol-
14 untary services as the working group determines to
15 be necessary.

16 (b) GAP AND OVERLAP ANALYSIS.—In conducting
17 the gap and overlap analysis required under subsection
18 (a)(1), Federal agency representatives shall—

19 (1) develop a Federal Government-wide working
20 vision for resilience to the impacts of extreme weath-
21 er events in the short- and long-term, in accordance
22 with the purpose set forth in section 2(b), through
23 an effort led by the Director and the interagency
24 working group, which includes goals and objectives
25 for key sectors. Key sectors shall include—

- 1 (A) agriculture;
- 2 (B) forestry and natural resources man-
- 3 agement;
- 4 (C) water management, including supply
- 5 and treatment;
- 6 (D) energy supply and transmission;
- 7 (E) infrastructure, including natural and
- 8 built forms of water and wastewater, transpor-
- 9 tation, coastal infrastructure, and other land-
- 10 scapes and ecosystems services;
- 11 (F) public health and healthcare delivery,
- 12 including mental health and hazardous mate-
- 13 rials management;
- 14 (G) communications, including wireless
- 15 communications;
- 16 (H) housing and other buildings;
- 17 (I) national security;
- 18 (J) emergency preparedness;
- 19 (K) insurance; and
- 20 (L) other sectors that the Director con-
- 21 siders appropriate;
- 22 (2) consider and identify the interdependencies
- 23 among the key sectors when developing the vision re-
- 24 ferred to in paragraph (1);

- 1 (3) create summaries of the existing and
2 planned efforts and programmatic work underway or
3 relevant to supporting State and local stakeholders
4 in achieving greater extreme weather resilience in
5 the short and long term for each sector identified
6 under paragraph (1) and across the sectors, specifi-
7 cally including summaries of—
8 (A) individual Federal agency programs,
9 policies, regulations, and initiatives, and re-
10 search and data collection and dissemination ef-
11 forts;
12 (B) areas of collaboration and coordination
13 across Federal agencies; and
14 (C) areas of coordination with State and
15 local agencies, private entities, and regional co-
16 operation;
- 17 (4) identify specific Federal programs, statutes,
18 regulations, policies, and initiatives which may unin-
19 tentionally hinder resilience efforts, including an
20 analysis of disincentives, barriers, and incompatible
21 programs, policies, or initiatives across agencies and
22 sectors;
- 23 (5) examine how the severity and frequency of
24 extreme weather events at the local and regional

1 level may change in the future and communicate
2 these potential risks to stakeholders;

3 (6) work together to identify and evaluate exist-
4 ing Federal tools and data to describe, analyze, fore-
5 cast, and model the potential impacts identified
6 under paragraph (5) and develop recommendations
7 to strengthen their ability to provide reliable and ac-
8 curate forecasts at the national, regional, State, and
9 local levels;

10 (7) identify gaps and overlaps in Federal agen-
11 cy work, resources, and authorities that impair the
12 ability of the United States to meet the vision for
13 short- and long-term extreme weather resilience, by
14 comparing the goals and objectives identified for
15 each sector and across sectors with the summaries
16 identified in paragraph (3), specifically identifying
17 gaps relating to—

18 (A) individual Federal agency programs,
19 policies, and initiatives, and research data col-
20 lection and dissemination efforts;

21 (B) areas of collaboration and coordination
22 across Federal agencies;

23 (C) areas of coordination with State and
24 local agencies and private entities, and regional
25 cooperation;

1 (8) determine potential measures to address the
2 issues referred to in paragraph (4) and to address
3 the gaps and overlaps referred to in paragraph (7)
4 by—

5 (A) designating individual or multiple Fed-
6 eral agencies to address these gaps;

7 (B) building upon existing delivery mecha-
8 nisms;

9 (C) evaluating options for programs, poli-
10 cies, and initiatives that may particularly ben-
11 efit extreme weather resilience efforts, including
12 the role of ecosystem-based approaches;

13 (D) recommending modifications to exist-
14 ing Federal agency programs, statutes, regula-
15 tions, policies, and initiatives to better support
16 extreme weather resiliency;

17 (E) requesting new authorities and re-
18 source requirements, if needed; and

19 (F) identifying existing Federal govern-
20 ment processes that can be built upon to ad-
21 dress the purpose of this Act; and

22 (9) establish, with the assistance of the General
23 Services Administration or such other Federal agen-
24 cy as the Director may designate, a Federal advisory

1 working group to provide ongoing collective input to
2 the process.

3 (c) WORKING GROUP.—The Federal advisory work-
4 ing group established pursuant to subsection (b)(9) shall
5 consist of relevant private sector, academic, State and
6 local government, tribal nation, regional organization, vul-
7 nerable population, and nongovernmental representatives,
8 with representation from each sector described in para-
9 graph (1). The Director may designate an existing Federal
10 advisory committee under which the working group would
11 operate independently, with the same rights and privileges
12 held by members of the advisory committee. The members
13 of the working group established pursuant to subsection
14 (b)(9) may not simultaneously serve as members of the
15 advisory committee designated pursuant to this sub-
16 section. The activities of the working group should com-
17 plement and not duplicate the stakeholder process con-
18 ducted under PPD-8.

19 **SEC. 5. NATIONAL EXTREME WEATHER RESILIENCE AC-**
20 **TION PLAN.**

21 (a) IN GENERAL.—Based on the results of the gap
22 and overlap analysis conducted under section 4, the Direc-
23 tor, working with the interagency working group estab-
24 lished under such section, and considering the efforts de-
25 scribed in section 2(a)(9), shall develop a National Ex-

1 extreme Weather Resilience Action Plan (referred to in this
2 section as the “Plan”—

3 (1) to build upon existing Federal Government
4 processes referred to in section 4(b)(8)(F)—

5 (A) to address the results of the gap and
6 overlap analysis under section 4; and

7 (B) to incorporate the activities required
8 under subsection (c);

9 (2) to best utilize existing resources and pro-
10 grams through improved interagency coordination
11 and collaboration;

12 (3) to improve Federal coordination with exist-
13 ing regional entities, State and local governments,
14 networks, and private stakeholders;

15 (4) to make data and tools accessible and un-
16 derstandable and to help facilitate information ex-
17 change for tribal, State, and local officials, busi-
18 nesses, and other stakeholders in a manner that ad-
19 dresses the needs expressed by these stakeholders;

20 (5) to facilitate public-private partnerships;

21 (6) to improve Federal agencies’ economic ana-
22 lytical capacity to assess—

23 (A) the likelihood and potential costs of ex-
24 treme weather impacts by region and nation-
25 ally; and

(B) the relative benefits of potential resilience measures to multiple stakeholders;

3 (7) to provide tools to stakeholders—

(A) to conduct analyses similar to those described in paragraph (6); and

(B) to support decisionmaking;

7 (8) to support resiliency plans developed by
8 State and local governments, regional entities, and
9 tribal nations, to the extent possible; and

15 (b) COOPERATION.—Any Federal agency representa-
16 tive contacted by the Director, in the course of developing
17 the Plan, shall be forthright and shall fully cooperate with
18 the Office of Science and Technology Policy, as requested.

19 (c) REQUIRED ACTIVITIES.—

20 (1) RESPONSIBILITIES.—The Plan shall include
21 specific Federal agency and interagency responsibil-
22 ities, identify potential new authorities, if necessary,
23 and employ risk analysis—

24 (A) to address the gaps identified through
25 the gap and overlap analysis; and

4 (2) AVAILABLE FUNDING OPPORTUNITIES.—

12 (ii) projects to advance extreme
13 weather resiliency.

18 (C) RESPONSIBILITIES.—Each partici-
19 pating agency shall—

20 (i) consider incorporating criteria or
21 guidance into existing relevant Federal
22 grant and other funding opportunities to
23 better support State and local efforts to
24 improve extreme weather resiliency; and

5 (3) INFORMATION PORTAL.—

20 (C) INFORMATION SUPPLIED.—Information shall be supplied as requested by Federal
21 agencies, their partners, academia, and private
22 stakeholders, in coordination with regional,
23 State, local, and tribal agencies.

(D) CONTENTS.—The information portal established under this paragraph shall direct users to coordinated and systematic information on—

- (i) best or model practices;
- (ii) data;
- (iii) case studies;
- (iv) indicators;
- (v) scientific reports;
- (vi) resilience and vulnerability assessments;
- (vii) guidance documents and design standards;
- (viii) incentives;
- (ix) education and communication initiatives;
- (x) decision support tools, including risk management, short- and long-term economic analysis, and predictive models;
- (xi) planning tools;
- (xii) public and private sources of assistance; and
- (xiii) such other information as the coordinating entity considers appropriate.

(A) coordinate the implementation of the Plan;

(B) track the progress of such implementation; and

10 (C) transfer responsibilities to another
11 Federal agency, interagency council, office, or
12 program to serve as the coordinating entity if
13 the entities participating in the working group
14 agree that circumstances necessitate such a
15 change.

16 (5) RESILIENCY OFFICER.—Each Federal agen-
17 cy that assists with the gap and overlap analysis re-
18 quired under section 4 shall designate, from among
19 the agency's senior management, a Senior Resiliency
20 Officer, who shall—

(A) facilitate the implementation of the agency's responsibilities under paragraph (1);

23 (B) monitor the agency's progress and per-
24 formance in implementing its responsibilities
25 under paragraph (1);

5 (D) serve as the agency lead in ongoing co-
6 ordination efforts within the Federal agency
7 and between the coordinating entity, other Fed-
8 eral agencies, public and private partners, and
9 stakeholders.

10 (d) PUBLICATION.—

11 (1) DRAFT PLAN.—Not later than 420 days
12 after the date of the enactment of this Act, the Di-
13 rector shall publish a draft of the Plan developed
14 under this section in the Federal Register.

1 (e) IMPLEMENTATION.—Not later than 630 days
2 after the date of the enactment of this Act, the Director
3 shall begin implementing the final Plan published under
4 subsection (d)(3).

5 (f) FINANCING.—To the extent possible—

6 (1) Federal funding should be used to leverage
7 private sector financing for resilience building activi-
8 ties, consistent with the implementation of the Plan,
9 through public-private partnerships; and

10 (2) Federal grant and loan programs of the
11 Federal agencies participating in the interagency
12 working group for this effort shall consider extreme
13 weather resilience as a key factor when awarding
14 funding, including the projected extreme weather
15 risk to a project over the course of its expected life.

16 (g) TRIBAL, STATE, AND LOCAL RESPONSIBIL-
17 ITIES.—The Plan may not place new unfunded require-
18 ments on State or local governments.

19 **SEC. 6. AUTHORIZATION OF OTHER ACTIVITIES.**

20 (a) IN GENERAL.—Federal agencies are authorized
21 to develop tools and disseminate information to improve
22 extreme weather resilience in the key sectors set forth in
23 section 4(b)(1).

24 (b) OFFICE OF SCIENCE AND TECHNOLOGY POL-
25 ICY.—In conducting the gap and overlap analysis under

1 section 4 and developing the National Extreme Weather
2 Resilience Action Plan under section 5, the Director may
3 carry out additional activities in support of the purpose
4 of this Act.

5 **SEC. 7. REPORTS.**

6 (a) GOVERNMENT ACCOUNTABILITY OFFICE RE-
7 PORT.—Not later than 1 year after the date of the enact-
8 ment of this Act, the Comptroller General of the United
9 States shall submit a report to Congress that—

10 (1) identifies existing Federal Government pro-
11 grams and policies related to disaster relief, re-
12 sponse, and recovery that impede improving short-
13 and long-term extreme weather resilience; and

14 (2) make recommendations for how the pro-
15 grams or policies could be structured differently to
16 better support short- and long-term resilience after
17 an extreme weather event.

18 (b) INITIAL REPORT.—Not later than 2 years after
19 the date of the enactment of this Act, the Director shall
20 submit a report to Congress that contains—

21 (1) the results of the gap and overlap analysis;
22 (2) the final National Extreme Weather Resil-
23 ience Action Plan;

24 (3) an update on the implementation of the
25 plan; and

1 (4) available resources for the sustained imple-
2 mentation of the plan.

3 (c) TRIENNIAL REPORTS.—Not later than 2 years
4 after the submission of the report under subsection (a),
5 and every 3 years thereafter, the coordinating entity iden-
6 tified under section 5(c)(3), in cooperation with the inter-
7 agency working group established under section 4(a), shall
8 submit a report to Congress that—

9 (1) contains an update of the National Extreme
10 Weather Resilience Action Plan;

11 (2) describes the progress of the plan's imple-
12 mentation;

13 (3) improves upon the original analysis as more
14 information and understanding about extreme
15 weather events becomes available;

16 (4) establishes criteria for prioritization of ac-
17 tivities described in the plan;

18 (5) reconsiders and makes changes to the plan
19 based on the availability of new information de-
20 scribed in paragraph (3); and

21 (6) identifies cost-effective changes to laws,
22 policies, or regulations that could advance the pur-
23 pose of this Act.

24 (d) FEMA REPORTS ON FUNDING.—

25 (1) FINDINGS.—Congress finds the following:

5 (B) In order to ensure that the United
6 States becomes more resilient to extreme weath-
7 er, it is important to ensure that sufficient re-
8 sources are available to support resiliency ac-
9 tivities.

14 (A) identifies the amounts that were made
15 available to the FEMA during such fiscal year
16 for State and local entities to use for activities
17 that support the purposes of this Act;

18 (B) identifies the amounts disbursed by
19 FEMA to State and local entities during such
20 fiscal year for such activities;

21 (C) describes the resources requested by
22 State and local entities for activities that sup-
23 port the purposes of this Act; and

24 (D) identifies the difference between the
25 amounts disbursed by FEMA and the amounts

1 requested from FEMA by State and local enti-
2 ties.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AMOUNTS FOR ANALYSIS, PLAN DEVELOPMENT
5 AND IMPLEMENTATION, AND REPORTS.—There are au-
6 thorized to be appropriated such sums as may be nec-
7 essary for fiscal years 2014 through 2016—

8 (1) to conduct the gap and overlap analysis re-
9 quired under section 4;

10 (2) to conduct the activities required under sec-
11 tion 5, including the creation and maintenance of
12 the information portal; and

13 (3) to prepare the reports to Congress required
14 under subsections (b) and (c) of section 7.

15 (b) AVAILABILITY OF FUNDS.—Amounts appro-
16 priated pursuant to subsection (a) shall remain available
17 for the purposes set forth in such subsection through De-
18 cember 31, 2016.

○