To improve the provision of Federal resources to help build capacity and fund risk-reducing, cost-effective mitigation projects for eligible State, local, Tribal, and territorial governments and certain private nonprofit organizations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DeFazio (for himself, Mr. Graves of Missouri, Ms. Titus, and Mr. Webster of Florida) introduced the following bill; which was referred to the Committee on ...........................................

A BILL

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Resilient Assistance for Mitigation for Environmentally Resilient Infrastruc-
ture and Construction by Americans Act” or the “Resilient AMERICA Act”.

SEC. 2. UNSPENT FUNDS.

(a) REDISTRIBUTION OF UNECLAIMED AMOUNTS.—

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

“(f) REDISTRIBUTION OF UNECLAIMED OR UNOBLIGATED AMOUNTS.—The President may—

“(1) withdraw any portion of financial assistance made available to a State or Indian tribal government under subsection (a) for which the State or Indian tribal government has failed to submit an application upon the expiration of the application submission time limit or that remains unobligated for a major disaster or event eligible for assistance pursuant to section 420 upon the expiration of 84 months or the closeout of the grant, whichever is sooner; and

“(2) transfer the financial assistance withdrawn under paragraph (1) to any other amounts otherwise available to be awarded under section 203.”.
(b) APPLICABILITY.—The amendment made by sub-
section (a) shall apply to any major disaster declared by
the President under the Robert T. Stafford Disaster Relief
and Emergency Assistance Act on or after November 23,

SEC. 3. PREDISASTER HAZARD MITIGATION.

Section 203(i) of the Robert T. Stafford Disaster Re-
lief and Emergency Assistance Act (42 U.S.C. 5133) is
amended by striking “6 percent” and inserting “15 per-
cent”.

SEC. 4. NONPROFIT FACILITIES.

Section 203 of the Robert T. Stafford Disaster Relief
and Emergency Assistance Act (42 U.S.C. 5133) is
amended—

(1) in subsection (b) by striking “and local gov-
ernments” and inserting “, local governments, and
private nonprofit facilities”;

(2) in subsection (c) by striking “or local gov-
ernment” in each place it appears and inserting “,
local government, or private nonprofit facility”;

(3) in subsection (d)—

(A) in paragraph (1)(A) by striking “local
governments” and inserting “local governments
and private nonprofit facilities”; 

(B) in paragraph (2)—
(i) by striking “local governments” in each place it appears and inserting “local governments or private nonprofit facilities”; and

(ii) in subparagraph (B) by striking “local government” and inserting “local government or private nonprofit facility”; and

(C) in paragraph (3) by inserting “or private nonprofit facilities” after “any local governments of the State”.

(4) in subsection (e)—

(A) in paragraph (1)(A) by striking “and local governments” and inserting “, local governments, and private nonprofit facilities”; and

(B) in paragraph (2) by striking “or local government” in each place it appears and inserting “, local government, or private nonprofit facility”; and

(5) in subsection (f)—

(A) in paragraph (2) by inserting “or private nonprofit facilities located in the State” after “local governments of the State”; and
(B) in paragraph (3)(A) by inserting “or private nonprofit facilities located in the State” after “local governments of a State”; and
(6) in subsection (g) by striking “or local government” in each place it appears and inserting “local government, or private nonprofit facility”.

SEC. 5. BUILDING CODE IMPLEMENTATION AND ENFORCEMENT SET ASIDE.

(a) IN GENERAL.—Section 203(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and
(2) by inserting after paragraph (2) the following:

“(3) BUILDING CODE IMPLEMENTATION AND ENFORCEMENT SET-ASIDE.—Of the amounts made available under this section for any given year, the Administrator may use not less than 10 percent to carry out eligible activities that further the implementation and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards, including any amendments made by State, local, Tribal, or territorial governments to such codes, specifications, and standards,
that incorporate the latest hazard-resistant designs
and establish minimum acceptable criteria for the
design, construction, and maintenance of facilities
and residential structures that may be eligible for
assistance under this Act. In any fiscal year in
which requests for assistance for such activities do
not total at least 10 percent of assistance under this
section, any remaining funds may be used as addi-
tional assistance for the purposes of paragraph
(1).”.

(b) LATEST PUBLISHED EDITIONS.—Section 203(m)
of the Robert T. Stafford Disaster Relief and Emergency
Assistance Act (42 U.S.C. 5133(m)) is amended by insert-
ing “, (f)(3),” after “subsections (e)(1)(B)(iv)”.

(c) CONFORMING AMENDMENT.—Section 1234 of the
Disaster Recovery Reform Act of 2018 (42 U.S.C. 5133
note) is amended by striking subsection (d).

SEC. 6. RESILIENT INFRASTRUCTURE.

(a) USE OF ASSISTANCE.—Subsection (g) of section
404 of the Robert T. Stafford Disaster Relief and Emer-
gency Assistance Act (42 U.S.C. 5170c(g)) (as redesig-
nated by section 2) is amended—
(1) in paragraph (12)—
(A) by inserting “, wildfire, and ice storm”
after “windstorm”;
(B) by striking “including replacing” and inserting the following: “including—

“(A) replacing”;

(C) in subparagraph (A) (as so designated)—

(i) by inserting “, wildfire,” after “extreme wind”; and

(ii) by adding “and” after the semicolon at the end; and

(D) by adding at the end the following:

“(B) the installation of fire-resistant wires and infrastructure and the undergrounding of wires;”;

(2) in paragraph (13) by striking “and”; and

(3) by striking paragraph (14) and inserting the following:

“(14) replacing water systems that have been burned, caused contamination, or are at risk from wildfire impacts with resilient, non-combustible materials;

“(15) repairing, replacing, or retrofitting infrastructure damaged by ice storms to be resilient to the impacts of such storms;

“(16) retrofitting or hardening electric grid infrastructure to comply with the latest published
strength standards or industry best practices for resiliency, including standards and practices relating to the strength of utility poles in high wind areas, regardless of height; and

“(17) implementing technologies to improve infrastructure monitoring and distribution for the purpose of reducing risk and avoiding future disaster impacts and, notwithstanding other requirements related to cost-effectiveness, to avoid any unintended consequences under this section and section 203.”.

(b) USE OF ASSISTANCE FOR EARTHQUAKE HAZARDS.—Subsection (h) of section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(h)) (as redesignated by section 2) is amended—

(1) by inserting “and tsunami” after “earthquake” each place it appears;

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

(3) in paragraph (3) by striking the period at the end and inserting “; and”;

(4) by adding at the end the following:

“(4) planning, design, or construction of vertical evacuation structures in designated and mapped tsunami danger areas or hazard zones.”.

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SEC. 7. RESIDENTIAL RETROFIT AND RESILIENCE PILOT PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Federal Emergency Management Agency shall carry out a residential resilience pilot program through the program established under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) to make available assistance to State and local governments for the purpose of providing grants to individuals for residential resilience retrofits.

(b) AMOUNT OF FUNDS.—The Administrator may use not more than 10 percent of the assistance made available to applicants on an annual basis under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) to provide assistance under this section.

(c) TIMELINE.—The Administrator shall establish the demonstration program under this section not later than 1 year after the date of enactment of this Act and the program shall terminate on September 30, 2025.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Sen-
(1) a summary of the grant awards and projects carried out under this section;

(2) a detailed compilation of results achieved by the grant awards and projects carried out under this section, including the number of homes receiving retrofits, the types and average costs of retrofits, demographic information for participants in the program, and estimate avoidance in disaster impacts and Federal disaster payments as a result of the grant investments; and

(3) any identified implementation challenges and recommendations for improvements to the pilot program.

(e) RESIDENTIAL RESILIENT RETROFITS DEFINED.—

(1) IN GENERAL.—In this section, the term “residential resilient retrofits” means a project that—

(A) is designed to increase the resilience of an existing home or residence using mitigation measures which the administrator determines reduce damage and impacts from natural disaster hazards and risks that are most likely to occur in the area where the home is located; and
(B) to the extent applicable, are consistent with the 2 most recently published editions of relevant consensus-based codes, specifications, and standards, including any amendments made by State, local, tribal, or territorial governments to such codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for the purpose of protecting the health, safety, and general welfare of the buildings’ users against disasters.

(2) INCLUSION.—In this section, the term “residential resilient retrofits” includes—

(A) elevations of homes and elevations of utilities within and around structures to mitigate damages;

(B) floodproofing measures;

(C) the construction of tornado safe rooms;

(D) seismic retrofits;

(E) wildfire retrofit and mitigation measures;
(F) wind retrofits, including roof replacements, hurricane straps, and tie-downs; and

(G) any other measures that meet the requirements of paragraph (1), as determined by the Administrator.