

117TH CONGRESS
1ST SESSION

H. R. 6138

To enhance predisaster mitigation to prevent future natural disasters, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 2, 2021

Mr. SWALWELL (for himself, Miss GONZÁLEZ-COLÓN, and Mr. BLUMENAUER)
introduced the following bill; which was referred to the Committee on
Transportation and Infrastructure

A BILL

To enhance predisaster mitigation to prevent future natural
disasters, 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 “Preventing Our Next
5 Natural Disaster Act”.

6 **SEC. 2. DEFINITIONS.**

7 Section 203(a) of the Robert T. Stafford Disaster Re-
8 lief and Emergency Assistance Act (42 U.S.C. 5133(a))
9 is amended to read as follows:

1 “(a) DEFINITIONS.—In this section, the following
2 definitions apply:

3 “(1) HIGH HAZARD RISK.—The term ‘high haz-
4 ard risk’ means high rating of a natural hazard risk
5 according to a tool such as the National Risk Index
6 or another tool developed by the Federal Emergency
7 Management Agency.

8 “(2) ENVIRONMENTAL JUSTICE COMMUNITY.—
9 The term ‘environmental justice community’ means
10 a community primarily composed of communities of
11 color, low-income communities, or Tribal and indige-
12 nous communities, that experiences, or is at risk of
13 experiencing, higher or more adverse human health
14 or environmental effects than most communities.

15 “(3) SMALL IMPOVERISHED COMMUNITY.—The
16 term ‘small impoverished community’ means a com-
17 munity that is comprised of 50,000 or fewer individ-
18 uals and that is economically disadvantaged, as de-
19 termined by the State in which the community is lo-
20 cated and based on criteria established by the Presi-
21 dent.”.

22 **SEC. 3. TECHNICAL ASSISTANCE.**

23 Section 203(e) of the Robert T. Stafford Disaster Re-
24 lief and Emergency Assistance Act (42 U.S.C. 5133(e))
25 is amended by adding at the end the following:

1 “(3) GUIDANCE.—The Administrator may de-
 2 velop guidance regarding how to incorporate climate
 3 change into—

4 “(A) the National Risk Index;

5 “(B) cost-benefit analyses; and

6 “(C) adopting improved relevant con-
 7 sensus-based codes, specifications, and stand-
 8 ards to address natural hazards.

9 “(4) BUILDING, RESTORATION, OR REHABILITA-
 10 TION.—The Administrator may issue guidance to en-
 11 sure that funds provided under this section are used
 12 to support the building, restoration, or rehabilitation
 13 of hazard mitigation projects that are—

14 “(A) planned and designed around the fu-
 15 ture projections of climate change over the life
 16 cycle of the project; and

17 “(B) built to withstand future flooding.”.

18 **SEC. 4. CRITERIA FOR ASSISTANCE AWARDS.**

19 Section 203(g) of the Robert T. Stafford Disaster Re-
 20 lief and Emergency Assistance Act (42 U.S.C. 5133(g))
 21 is amended—

22 (1) by striking “and” at the end of paragraph
 23 (11);

24 (2) by redesignating paragraph (12) as para-
 25 graph (13); and

1 (3) by inserting after paragraph (11) the fol-
2 lowing:

3 “(12) and prioritize communities that are in
4 high hazard risk communities, environmental justice
5 communities, communities with low tax revenue base
6 per capita, and communities with a low rate of code
7 adoption and enforcement and infrastructure main-
8 tenance expenditures (the Administrator of the Fed-
9 eral Emergency Management Agency shall establish
10 guidelines to develop measurable criteria to deter-
11 mine such priority for high hazard risk communities
12 and integrate the data into a tool such as the Na-
13 tional Risk Index and use the Resilience Analysis
14 and Planning Tool to help target the communities
15 with the greatest need of assistance); and”.

16 **SEC. 5. FEDERAL SHARE.**

17 Section 203(h)(2) of the Robert T. Stafford Disaster
18 Relief and Emergency Assistance Act (42 U.S.C.
19 5133(h)(2) is amended to read as follows:

20 “(2) SMALL IMPOVERISHED COMMUNITIES AND
21 ENVIRONMENT JUSTICE COMMUNITIES.—Notwith-
22 standing paragraph (1), the President may con-
23 tribute up to 90 percent of the total cost of a miti-
24 gation activity carried out in a small impoverished

1 community or an environmental justice commu-
2 nity.”.

3 **SEC. 6. NATIONAL PUBLIC INFRASTRUCTURE**
4 **PREDISASTER MITIGATION ASSISTANCE.**

5 Section 203(i)(1) of the Robert T. Stafford Disaster
6 Relief and Emergency Assistance Act (42 U.S.C.
7 5133(i)(1)) is amended—

8 (1) by striking “6 percent” and inserting “15
9 percent”; and

10 (2) by adding at the end the following: “From
11 such total amount made available from the Disaster
12 Relief Fund, with respect to each major disaster, the
13 President may set aside 2 percent of the estimated
14 aggregate amount of the grants to be made pursu-
15 ant to sections 403, 406, 407, 408, 410, 416, and
16 428 for the major disaster for community planning
17 and capacity building assistance.”.

18 **SEC. 7. COMMUNITY OUTREACH.**

19 Section 203 of the Robert T. Stafford Disaster Relief
20 and Emergency Assistance Act (42 U.S.C. 5133) is
21 amended by adding at the end the following:

22 “(n) **COMMUNITY OUTREACH ASSISTANCE.**—The Ad-
23 ministrator of the Federal Emergency Management Agen-
24 cy, in collaboration with organizations, such as the United
25 States Cooperative Extension System and the Extension

1 Disaster Education Network, shall provide community
2 outreach to communities under this section, with a goal
3 of increasing applications from communities with high
4 hazard risk, environmental justice communities, commu-
5 nities with low tax revenue base per capita, and commu-
6 nities with a low rate of code adoption and enforcement
7 and infrastructure maintenance expenditures, regarding
8 how to plan and prioritize projects based on current cli-
9 mate conditions, future hazard risk, and social vulner-
10 ability assessments as well as how to successfully develop,
11 submit, and administer a grant under this section.”.

12 **SEC. 8. IMPROVED DATA COLLECTION.**

13 Not later than 3 years after the date of enactment
14 of this Act, the Administrator of the Federal Emergency
15 Management Agency shall establish a central Federal
16 database at the Agency, in coordination with the Depart-
17 ment of Housing and Urban Development, the Environ-
18 ment Protection Agency, the Economic Development Ad-
19 ministration, the Small Business Administration, the
20 Army Corps of Engineers, and any other relevant agencies
21 the Administrator chooses to include, to consolidate fund-
22 ing data collected by all local, State, and Federal agencies
23 involved in post-disaster response and predisaster mitiga-
24 tion spending and categorize the data by type of project,
25 funding source, and hazard types using an user friendly

1 database and interactive map. Such database shall also in-
2 clude—

3 (1) the collection and posting of census track
4 data and post aggregate demographic data, pursuant
5 to the Paperwork Reduction Act (44 U.S.C. 3501 et
6 seq.) as well as any future guidance by such office
7 on data equity on the impact of natural disaster and
8 Federal recovery efforts to better allocate and trace
9 funds; and

10 (2) post-project evaluations by the Agency to
11 analyze disaster spending and report findings on
12 what may have been saved by proper predisaster
13 mitigation.

○