

117TH CONGRESS  
2D SESSION

# H. R. 7178

To authorize the Secretary of Housing and Urban Development to make grants to States and Indian tribes to support local resiliency offices, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2022

Mr. CROW (for himself and Mr. ROUZER) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To authorize the Secretary of Housing and Urban Development to make grants to States and Indian tribes to support local resiliency offices, 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 “Championing Local  
5 Efforts to Advance Resilience Act of 2022” or the  
6 “CLEAR Act of 2022”.

7 **SEC. 2. RESILIENCY OFFICE GRANTS.**

8 (a) **AUTHORITY.**—The Secretary of Housing and  
9 Urban Development, in consultation with the Adminis-

1 trator of the Federal Emergency Management Agency, the  
2 Secretary of Commerce, and the Secretary of the Interior,  
3 may make grants under this section to States and Indian  
4 tribes that are eligible for such grants pursuant to sub-  
5 section (b) for use in accordance with subsection (c).

6 (b) ELIGIBILITY.—To be eligible for a grant under  
7 this section, a State or Indian tribe shall establish and  
8 maintain, or maintain, an office specifically responsible for  
9 issues relating to resilience and that has among its duties  
10 the following:

11 (1) To develop and update, not less frequently  
12 than every 5 years, a resiliency framework, in con-  
13 sultation with vulnerable and impacted communities,  
14 that identifies current and projected risks and  
15 vulnerabilities due to climate change and other chal-  
16 lenges, in each of the areas of—

17 (A) environmental and natural hazards;

18 (B) the economy and workforce;

19 (C) infrastructure;

20 (D) health and social services; and

21 (E) housing.

22 (2) To implement programming to address risks  
23 and vulnerabilities identified in the resiliency frame-  
24 work, including—

1 (A) providing technical assistance to local  
2 governments for the implementation of resil-  
3 ience planning;

4 (B) assisting State or tribal agencies in the  
5 implementation of resilience policies and proce-  
6 dures;

7 (C) integrating resilience criteria into ex-  
8 isting competitive grant funding administered  
9 by such office or State agencies; and

10 (D) supporting long-term community pre-  
11 disaster mitigation and recovery efforts and fa-  
12 cilitating access to resources before and after a  
13 disaster.

14 (3) To improve coordination among State or  
15 tribal agencies and regional and local jurisdictions to  
16 support community and economic recovery efforts  
17 and address risk and vulnerability reduction.

18 (c) USE.—Amounts from a grant under this section  
19 may be used by the grantee, or any unit of local govern-  
20 ment that is a subgrantee of such grantee, only for—

21 (1) costs of establishing or maintaining, or  
22 both, a resiliency office and implementing resiliency  
23 programming, developing resilience planning and  
24 analytic tools, enhancing community planning and  
25 capacity, and providing technical assistance, in ac-

1 cordance with the requirements of subsection (b);  
2 and

3 (2) payment of any non-Federal share required  
4 in connection with a Federal program undertaken to  
5 carry out any of the purposes of subsection (b)(2).

6 (d) APPLICATIONS.—To apply for a grant under this  
7 section, a State or Indian tribe shall submit an application  
8 at such time, in such form, and containing such informa-  
9 tion as the Secretary may prescribe.

10 (e) PRIORITY.—In awarding grants under this sec-  
11 tion to States, the Secretary shall give priority to applica-  
12 tions that—

13 (1) demonstrate the greatest need for assistance  
14 under this section;

15 (2) identify vulnerabilities and risks in dis-  
16 advantaged communities and prioritize projects to  
17 benefit such communities and promote equity in re-  
18 silience;

19 (3) demonstrate a broad approach to resilience,  
20 as such term is defined in subsection (j)(3);

21 (4) provide for the grantee to work collabo-  
22 ratively with multiple stakeholders impacted by the  
23 identified risks and vulnerabilities, including the for-  
24 mation of a permanent climate resilience advisory  
25 task force that includes individuals—

1 (A) representing each of the areas identi-  
2 fied in subsection (b)(1);

3 (B) representing disadvantaged commu-  
4 nities;

5 (C) representing labor, worker, and work-  
6 force development;

7 (D) representing tribal nations or tribal  
8 communities;

9 (E) representing local governments;

10 (F) having experience in climate-related  
11 disaster preparedness, response, and recovery;  
12 and

13 (G) having public health expertise; and

14 (5) provide for subgrants to entities that adhere  
15 to prevailing wage provisions as published by the  
16 Department of Labor.

17 (f) AMOUNT.—The Secretary shall award grants in  
18 an amount sufficient to provide funding to a grantee to  
19 cover a minimum of 24 months of grant activities.

20 (g) TECHNICAL ASSISTANCE.—The Secretary shall,  
21 in consultation with the Administrator of the Federal  
22 Emergency Management Agency, the Secretary of Com-  
23 merce, the Secretary of the Interior, and such other heads  
24 of Federal agencies as the Secretary considers appro-  
25 priate, provide technical assistance to grantees regarding

1 developing resiliency frameworks and implementing resiliency strategies.

3 (h) ADMINISTRATIVE COSTS.—Of any amounts made available for grants under this section, the Secretary may use 1.0 percent for costs of administering the program under this section for such grants and for providing technical assistance under subsection (g).

8 (i) REPORTS TO HUD.—Not later than 90 days after the end of each fiscal year for which a grantee receives a grant under this section, the grantee shall submit a report to the Secretary regarding the use of such grant amounts, which shall include—

13 (1) a description of the activities undertaken by the grantee using such grant amounts;

15 (2) identification of the costs of each of the services provided using such grant amounts; and

17 (3) assessments of the effectiveness of the grant program under this section and the programs carried out by the resiliency office of the grantee and recommendations for improving such programs.

21 (j) DEFINITIONS.—

22 (1) DISADVANTAGED COMMUNITY.—The term “disadvantaged community” means a community that is determined by the Secretary to meet the interim definition of a disadvantaged community using

1 the indicators and guidelines set forth in the Memo-  
2 randum for the Heads of Departments and Agencies  
3 relating to Interim Implementation Guidance for the  
4 Justice<sup>40</sup> Initiative, issued by the Director of the  
5 Office of Management and Budget, Chair of the  
6 Council on Environmental Quality, and the National  
7 Climate Advisor on July 20, 2021 (M–21–28).

8 (2) GRANTEE.—The term “grantee” means a  
9 State or Indian tribe to which a grant under this  
10 section is made.

11 (3) INDIAN TRIBE.—The term “Indian tribe”  
12 has the meaning given such term in section 4 of the  
13 Native American Housing and Self-Determination  
14 Act of 1996 (25 U.S.C. 4103).

15 (4) RESILIENCE.—The term “resilience”  
16 means, with respect to a community, the ability to  
17 rebound, positively adapt to, or thrive amidst chang-  
18 ing conditions or challenges, including human-caused  
19 and natural disasters, and to maintain quality of  
20 life, healthy growth, durable systems, economic vital-  
21 ity, and conservation of resources for present and  
22 future generations.

23 (5) SECRETARY.—The term “Secretary” means  
24 the Secretary of Housing and Urban Development.

1           (6) STATE.—The term “State” means a State  
2       of the United States, the District of Columbia, the  
3       Commonwealth of Puerto Rico, Guam, the Northern  
4       Mariana Islands, the Virgin Islands, and American  
5       Samoa.

6       (k) FUNDING.—

7           (1) AUTHORIZATION OF APPROPRIATIONS.—  
8       There is authorized to be appropriated for grants  
9       under this section \$200,000,000 for each of fiscal  
10      years 2022 through 2027.

11          (2) SET-ASIDE FOR INDIAN TRIBES.—Of any  
12      amounts appropriated for a fiscal year for grants  
13      under this section, the Secretary shall reserve 10  
14      percent for grants to Indian tribes. The Secretary  
15      shall allocate such amounts reserved, among Indian  
16      tribes having applications for grants under this sec-  
17      tion for such fiscal year approved by the Secretary,  
18      on the basis of a competition conducted pursuant to  
19      specific criteria for the selection of Indian tribes to  
20      receive such amounts. The criteria shall be contained  
21      in a regulation promulgated by the Secretary, in  
22      consultation with the Secretary of the Interior, after  
23      notice and opportunity for public comment.

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