

117TH CONGRESS
2D SESSION

H. R. 8300

To direct the Administrator of the Federal Emergency Management Agency to issue guidance on extreme temperature events and resilience goals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2022

Mr. BLUMENAUER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Emergency Management Agency to issue guidance on extreme temperature events and resilience goals, 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 “Empowering Resilient
5 Local Communities Act”.

6 **SEC. 2. DEFINITIONS.**

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

1 (1) by amending subsection (a) to read as fol-
2 lows:

3 “(a) DEFINITION OF UNDERSERVED COMMUNITY.—

4 In this section, the term ‘underserved community’ means
5 a community, or a neighborhood within a community,
6 that—

7 “(1) is classified as high risk according to cen-
8 sus tract risk ratings derived from a product that—

9 “(A) is maintained under a natural hazard
10 assessment program;

11 “(B) is available to the public;

12 “(C) defines natural hazard risk across the
13 United States;

14 “(D) reflects high levels of individual haz-
15 ard risk ratings;

16 “(E) reflects high social vulnerability rat-
17 ings and low community resilience ratings;

18 “(F) reflects the principal natural hazard
19 risks identified for the respective census tracts;
20 and

21 “(G) any other elements determined by the
22 President;

23 “(2) is comprised of 50,000 or fewer individuals
24 and is economically disadvantaged, as determined by

1 the State in which the community is located and
 2 based on criteria established by the President; or

3 “(3) is otherwise determined by the President
 4 based on factors including, high housing cost burden
 5 and substandard housing, percentage of homeless
 6 population, limited water and sanitation access, de-
 7 mographic information such as race, age, and dis-
 8 ability, language composition, transportation access
 9 or type, disproportionate environmental stressor bur-
 10 den, and disproportionate impacts from climate
 11 change.”;

12 (2) in subsection (g)(9) by striking “small im-
 13 poverished communities” and inserting “underserved
 14 communities”; and

15 (3) in subsection (h)(2)—

16 (A) in the heading by striking “SMALL IM-
 17 POVERISHED COMMUNITIES” and inserting
 18 “UNDERSERVED COMMUNITIES”; and

19 (B) by striking “small impoverished com-
 20 munity” and inserting “underserved commu-
 21 nity”.

22 **SEC. 3. GUIDANCE ON EXTREME TEMPERATURE EVENTS.**

23 Not later than 1 year after the date of enactment
 24 of this Act, the Administrator of the Federal Emergency
 25 Management Administration shall issue guidance related

1 to extreme temperature events, including heat waves and
2 freezes, and publish such guidance in the Federal Emer-
3 gency Management Administration Public Assistance Pro-
4 gram and Policy Guide.

5 **SEC. 4. HAZARD MITIGATION PLANS.**

6 Section 322 of the Robert T. Stafford Disaster Relief
7 and Emergency Assistance Act (42 U.S.C. 5165) is
8 amended—

9 (1) in subsection (a) by striking the period at
10 the end and inserting “, including—

11 “(1) identifying the extent to which resilience is
12 or will be incorporated into other planning processes,
13 including community land use, economic develop-
14 ment, capital improvement budgets and transpor-
15 tation planning processes;

16 “(2) goals and objectives related to increasing
17 resilience over a 5-year period, including benchmarks
18 for future work and an assessment of past progress;

19 “(3) the building codes in existence at the time
20 the plan is submitted and standards that are in use
21 by the State for all manner of planning or develop-
22 ment purposes and how the State has or will comply
23 with the standards set forth in section 406(e)(1)(A);

24 “(4) the use of nature-based solutions or other
25 mitigation activities that conserve or restore natural

1 features that can serve to abate or lessen the im-
2 pacts of future disasters;

3 “(5) integration of each local mitigation plan
4 with the State, Indian Tribe, or territory plan; and

5 “(6) the disparate impacts on underserved com-
6 munities (as such term is defined in section 203(a))
7 and plans to address any disparities.”; and

8 (2) by adding at the end the following:

9 “(f) GUIDANCE.—The Administrator of the Federal
10 Emergency Management Agency shall issue specific guid-
11 ance on resilience goals and provide technical assistance
12 for States, Indian Tribes, territories, and local govern-
13 ments to meet such goals.

14 “(g) ADEQUATE STAFFING.—The Administrator of
15 the Federal Emergency Management Agency shall ensure
16 that ample staff are available to develop the guidance and
17 technical assistance under section 322, including hazard
18 mitigation planning staff and personnel with expertise in
19 community planning, land use development, and consensus
20 based codes and hazard resistant designs at each regional
21 office that specifically focus on providing financial and
22 non-financial direct technical assistance to States, Indian
23 Tribes, and territories.

1 “(h) REPORTING.—Not less frequently than every 5
2 years, the Administrator shall submit to Congress a report
3 on the progress of meeting the goals under this section.”.

4 **SEC. 5. ADDITIONAL USES OF FUNDS.**

5 Section 408 of the Robert T. Stafford Disaster Relief
6 and Emergency Assistance Act (42 U.S.C. 5174) is
7 amended by adding at the end the following:

8 “(k) ADDITIONAL USES OF FUNDS.—For State and
9 local governments that have exceeded, adopted, or are im-
10 plementing the latest two published editions of relevant
11 consensus-based codes, specifications, and standards that
12 incorporate the latest hazard-resistant designs and estab-
13 lish minimum acceptable criteria for the design, construc-
14 tion, and maintenance of residential structures and facili-
15 ties, a recipient of assistance provided under this para-
16 graph may use such assistance in a manner consistent
17 with the standards set forth in clauses (ii) and (iii) of sec-
18 tion 406(e)(1)(A).”.

19 **SEC. 6. COLLABORATION WITH OTHER AGENCIES.**

20 In awarding grants under the Robert T. Stafford Dis-
21 aster Relief and Emergency Assistance Act (42 U.S.C.
22 5121 et seq.), the Administrator of the Federal Emer-
23 gency Management Agency may coordinate with other rel-
24 evant agencies, including the Environmental Protection
25 Agency, the Department of Energy, the Department of

1 Transportation, the Corps of Engineers, the Department
2 of Agriculture, and the Department of Housing and
3 Urban Development, as necessary, to improve collabora-
4 tion for eligible activities under the Act.

5 **SEC. 7. GAO REPORTS.**

6 (a) EXTREME TEMPERATURE EVENTS.—Not later
7 than 1 year after the date of enactment of this Act, and
8 every 5 years thereafter, the Comptroller General of the
9 United States shall evaluate and issue to Congress and
10 the Federal Emergency Management Agency a report re-
11 garding the impacts of extreme temperatures events on
12 communities, the challenges posed to the Federal Emer-
13 gency Management Agency in addressing extreme tem-
14 perature events, and recommendations for the Federal
15 Emergency Management Agency to better provide assist-
16 ance to communities experiencing extreme temperature
17 events. The report may also include examples of specific
18 mitigation and resilience projects that communities may
19 undertake, and the Federal Emergency Management
20 Agency may consider, to reduce the impacts of extreme
21 temperatures on and within building structures,
22 participatory processes that allow for public engagement
23 in determining and addressing local risks and
24 vulnerabilities related to extreme temperatures events, and

1 community infrastructure, including heating or cooling
2 shelters.

3 (b) SMOKE AND INDOOR AIR QUALITY.—Not later
4 than 1 year after the date of enactment of this Act, and
5 every 5 years thereafter, the Comptroller General shall
6 evaluate and issue to Congress and the Federal Emer-
7 gency Management Agency a report regarding the impacts
8 of wildfire smoke and poor indoor air quality, the chal-
9 lenges posed to Federal Emergency Management Agency
10 in addressing wildfire smoke and indoor air quality, and
11 recommendations for the Federal Emergency Management
12 Agency to better provide assistance to communities and
13 individuals in dealing with wildfire smoke and indoor air
14 quality.

15 **SEC. 8. REPORT CONGRESS AND UPDATE OF COST EFFEC-**
16 **TIVENESS DETERMINATIONS AND DECLARA-**
17 **TIONS.**

18 (a) REPORT.—Not later than 2 years after the date
19 of enactment of this Act, the Administrator of the Federal
20 Emergency Management Agency, in coordination with the
21 Director of the Office of Management and Budget, shall
22 submit to Congress a report regarding the challenges
23 posed by the Agency’s requirements for declaring an inci-
24 dent or determining the cost effectiveness of mitigation ac-
25 tivities and specifically how such requirements may dis-

1 proportionately burden small impoverished communities,
2 or specific vulnerable populations within communities.

3 (b) UPDATE OF COST EFFECTIVENESS DETERMINA-
4 TION.—Not later than 5 years after the date of enactment
5 of this Act, the Administrator, to the extent practicable,
6 shall update the requirements for determining cost effec-
7 tiveness and declaring incidents, including selection of ap-
8 propriate interest rates, based on the findings made under
9 subsection (a).

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