

Union Calendar No. 136

108TH CONGRESS
1ST SESSION

H. R. 2608

[Report No. 108-246, Part I]

To reauthorize the National Earthquake Hazards Reduction Program, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mr. SMITH of Michigan (for himself and Mr. BAIRD) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

AUGUST 14, 2003

Additional sponsor: Ms. LOFGREN

AUGUST 14, 2003

Reported from the Committee on Science with an amendment
[Strike out all after the enacting clause and insert the part printed in italic]

AUGUST 14, 2003

Referral to the Committee on Resources extended for a period ending not later
than August 14, 2003

AUGUST 14, 2003

The Committee on Resources discharged; referred to the Committee of the
Whole House on the State of the Union and ordered to be printed

A BILL

To reauthorize the National Earthquake Hazards Reduction Program, 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 “National Earthquake*
5 *Hazards Reduction Program Reauthorization Act of 2003”.*

6 **SEC. 2. DEFINITIONS.**

7 *Section 4 of the Earthquake Hazards Reduction Act*
8 *of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at*
9 *the end the following new paragraphs:*

10 *“(8) The term ‘Interagency Coordinating Com-*
11 *mittee’ means the Interagency Coordinating Com-*
12 *mittee on Earthquake Hazards Reduction established*
13 *under section 5(a).*

14 *“(9) The term ‘Advisory Committee’ means the*
15 *Advisory Committee established under section*
16 *5(a)(5).”.*

17 **SEC. 3. NATIONAL EARTHQUAKE HAZARDS REDUCTION**
18 **PROGRAM.**

19 *Section 5 of the Earthquake Hazards Reduction Act*
20 *of 1977 (42 U.S.C. 7704(b)) is amended—*

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

3 “(a) *ESTABLISHMENT.—*

4 “(1) *IN GENERAL.—There is established the Na-*
5 *tional Earthquake Hazards Reduction Program.*

6 “(2) *PROGRAM ACTIVITIES.—The activities of the*
7 *Program shall be designed to—*

8 “(A) *develop effective measures for earth-*
9 *quake hazards reduction;*

10 “(B) *promote the adoption of earthquake*
11 *hazards reduction measures by Federal, State,*
12 *and local governments, national standards and*
13 *model code organizations, architects and engi-*
14 *neers, building owners, and others with a role in*
15 *planning and constructing buildings, structures,*
16 *and lifelines through—*

17 “(i) *grants, contracts, cooperative*
18 *agreements, and technical assistance;*

19 “(ii) *development of standards, guide-*
20 *lines, and voluntary consensus codes for*
21 *earthquake hazards reduction for buildings,*
22 *structures, and lifelines; and*

23 “(iii) *development and maintenance of*
24 *a repository of information, including tech-*

1 *nical data, on seismic risk and hazards re-*
2 *duction; and*

3 *“(C) improve the understanding of earth-*
4 *quakes and their effects on communities, build-*
5 *ings, structures, and lifelines, through inter-*
6 *disciplinary research that involves engineering,*
7 *natural sciences, and social, economic, and deci-*
8 *sions sciences.*

9 *“(3) INTERAGENCY COORDINATING COMMITTEE*
10 *ON EARTHQUAKE HAZARDS REDUCTION.—*

11 *“(A) IN GENERAL.—There is established an*
12 *Interagency Coordinating Committee on Earth-*
13 *quake Hazards Reduction chaired by the Direc-*
14 *tor of the National Institute of Standards and*
15 *Technology (referred to in this subsection as the*
16 *‘Director’).*

17 *“(B) MEMBERSHIP.—The committee shall*
18 *be composed of the directors of—*

19 *“(i) the Federal Emergency Manage-*
20 *ment Agency;*

21 *“(ii) the United States Geological Sur-*
22 *vey;*

23 *“(iii) the National Science Founda-*
24 *tion;*

1 “(iv) the Office of Science and Tech-
2 nology Policy; and

3 “(v) the Office of Management and
4 Budget.

5 “(C) MEETINGS.—The Committee shall
6 meet not less than 3 times a year at the call of
7 the Director.

8 “(D) PURPOSE AND DUTIES.—The Inter-
9 agency Coordinating Committee shall oversee the
10 planning, management, and coordination of the
11 Program. The Interagency Coordinating Com-
12 mittee shall—

13 “(i) develop, not later than 6 months
14 after the date of enactment of this Act, and
15 update periodically—

16 “(I) a strategic plan that estab-
17 lishes goals and priorities for the Pro-
18 gram activities described under sub-
19 section (a)(2); and

20 “(II) a detailed management plan
21 to implement such strategic plan; and

22 “(ii) develop a coordinated interagency
23 budget for the Program that will ensure ap-
24 propriate balance among the Program ac-
25 tivities described under subsection (a)(2),

1 and submit such budget to the Director of
2 the Office of Management and Budget at the
3 time designated by that office for agencies to
4 submit annual budgets.

5 “(4) ANNUAL REPORT.—The Interagency Coordinating
6 Committee shall transmit, at the time of the
7 President’s budget request to Congress, an annual report
8 to the Committee on Science and the Committee
9 on Resources of the House of Representatives, and the
10 Committee on Commerce, Science, and Transportation
11 of the Senate. Such report shall include—

12 “(A) the Program budget for the current fiscal
13 year for each agency that participates in the
14 Program, and for each major goal established for
15 the Program activities under subparagraph
16 (3)(A);

17 “(B) the proposed Program budget for the
18 next fiscal year for each agency that participates
19 in the Program, and for each major goal established
20 for the Program activities under subparagraph
21 (3)(A);

22 “(C) a description of the activities and results
23 of the Program during the previous year,
24 including an assessment of the effectiveness of the

1 Program in furthering the goals established in
2 the strategic plan under (3)(A);

3 “(D) a description of the extent to which the
4 Program has incorporated the recommendations
5 of the Advisory Committee;

6 “(E) a description of activities, including
7 budgets for the current fiscal year and proposed
8 budgets for the next fiscal year, that are carried
9 out by Program agencies and contribute to the
10 Program, but are not included in the Program;
11 and

12 “(F) a description of the activities, includ-
13 ing budgets for the current fiscal year and pro-
14 posed budgets for the following fiscal year, re-
15 lated to the grant program carried out under
16 subsection (b)(2)(A)(i).

17 “(5) ADVISORY COMMITTEE.—

18 “(A) IN GENERAL.—The Director shall es-
19 tablish an Advisory Committee on Earthquake
20 Hazards Reduction consisting of non-Federal
21 members, including representatives of research
22 and academic institutions, industry standards
23 development organizations, State and local gov-
24 ernment, and financial communities who are
25 qualified to provide advice on earthquake haz-

1 *ards reduction. The recommendations of the Ad-*
2 *visory Committee shall be considered by Federal*
3 *agencies in implementing the Program.*

4 *“(B) ASSESSMENT.—The Advisory Com-*
5 *mittee shall assess—*

6 *“(i) trends and developments in the*
7 *science and engineering of earthquake haz-*
8 *ards reduction;*

9 *“(ii) effectiveness of the Program in*
10 *carrying out the activities under (a)(2);*

11 *“(iii) the need to revise the Program;*
12 *and*

13 *“(iv) the management, coordination,*
14 *implementation, and activities of the Pro-*
15 *gram.*

16 *“(C) REPORT.—Not later than 1 year after*
17 *the date of enactment of this Act and at least*
18 *once every 2 years thereafter, the Advisory Com-*
19 *mittee shall report to the Director on its findings*
20 *of the assessment carried out under subpara-*
21 *graph (B) and its recommendations for ways to*
22 *improve the Program. In developing rec-*
23 *ommendations, the Committee shall consider the*
24 *recommendations of the United States Geological*

1 *Survey Scientific Earthquake Studies Advisory*
2 *Committee.*

3 “(D) *FEDERAL ADVISORY COMMITTEE ACT*
4 *APPLICATION.—Section 14 of the Federal Advi-*
5 *sory Committee Act (5 App. U.S.C. 14) shall not*
6 *apply to the Advisory Committee.”;*

7 (2) *in subsection (b)—*

8 (A) *in paragraph (1)—*

9 (i) *by striking “Federal Emergency*
10 *Management Agency” and all that follows*
11 *through “of the Agency” and inserting “Na-*
12 *tional Institute of Standards and Tech-*
13 *nology shall have the primary responsibility*
14 *for planning and coordinating the Program.*
15 *In carrying out this paragraph, the Direc-*
16 *tor of the Institute”;*

17 (ii) *by striking subparagraphs (B) and*
18 *(C) and redesignating subparagraphs (D)*
19 *and (E) as subparagraphs (C) and (D), re-*
20 *spectively;*

21 (iii) *by inserting after subparagraph*
22 *(A) the following:*

23 “(B) *support the development of perform-*
24 *ance-based seismic engineering tools, and work*
25 *with appropriate groups to promote the commer-*

1 *cial application of such tools, through earth-*
2 *quake-related building codes, standards, and con-*
3 *struction practices;”;*

4 *(iv) by striking “The principal official*
5 *carrying out the responsibilities described*
6 *in this paragraph shall be at a level no*
7 *lower than that of Associate Director.”; and*

8 *(v) in subparagraph (D), as redesign-*
9 *ated by clause (ii), by striking “National*
10 *Science Foundation, the National Institutes*
11 *of Standards and Technology” and insert-*
12 *ing “Federal Emergency Management Agen-*
13 *cy, the National Science Foundation”;*

14 *(B) in paragraph (2)(A)—*

15 *(i) by striking “In addition to the*
16 *lead” and all that follows through “Agency”*
17 *and inserting “The Director of the Federal*
18 *Emergency Management Agency (in this*
19 *Act referred to as the ‘Agency’)”;* and

20 *(ii) by amending clause (iii) to read as*
21 *follows:*

22 *“(iii) assist the National Institute of*
23 *Standards and Technology, other Federal*
24 *agencies, and private sector groups in the*
25 *preparation and wide dissemination of*

1 *building codes and practices for structures*
2 *and lifelines, and aid in the development of*
3 *performance based codes for buildings,*
4 *structures, and lifelines that are cost effec-*
5 *tive and affordable;”;*

6 *(C) in paragraph (3)—*

7 *(i) by inserting “and other activities”*
8 *after “shall conduct research”;*

9 *(ii) in subparagraphs (C) and (D), by*
10 *striking “the Agency” both places it appears*
11 *and inserting “the Director of the Federal*
12 *Emergency Management Agency and the*
13 *Director of the National Institute of Stand-*
14 *ards and Technology”;*

15 *(iii) in subparagraph (E), by striking*
16 *“establish, using existing facilities, a Center*
17 *for the International Exchange of Earth-*
18 *quake Information” and inserting “operate,*
19 *using the National Earthquake Information*
20 *Center, a forum for the international ex-*
21 *change of earthquake information”;*

22 *(iv) in subparagraph (F), by striking*
23 *“Network” and inserting “System”; and*

24 *(v) by inserting after subparagraph*
25 *(H) the following new subparagraphs:*

1 “(I) work with other Program agencies to
2 coordinate Program activities with similar
3 earthquake hazards reduction efforts in other
4 countries, to ensure that the Program benefits
5 from relevant information and advances in those
6 countries; and

7 “(J) maintain suitable seismic hazard maps
8 in support of building codes for structures and
9 lifelines, including additional maps needed for
10 performance based design approaches.”;

11 (D) in paragraph (4)—

12 (i) by redesignating subparagraphs
13 (D), (E), and (F) as subparagraphs (E),
14 (F), and (H), respectively;

15 (ii) by inserting after subparagraph
16 (C) the following:

17 “(D) support research that improves the
18 safety and performance of buildings, structures,
19 and lifeline systems using large-scale experi-
20 mental and computational facilities;”;

21 (iii) in subparagraph (F) (as so redesi-
22 gnated), by striking “; and” and inserting
23 a semicolon; and

24 (iv) by inserting after subparagraph
25 (F) (as so redesignated) the following:

1 “(G) include to the maximum extent prac-
2 ticable diverse institutions, including Histori-
3 cally Black Colleges and Universities and those
4 serving large proportions of Hispanics, Native
5 Americans, Asian-Pacific Americans, and other
6 underrepresented populations; and”;

7 (E) in paragraph (5), by striking “The Na-
8 tional” and inserting “In addition to the lead
9 agency responsibilities described under para-
10 graph (1), the National”; and

11 (3) in subsection (c)(1), by striking “Agency”
12 and inserting “Interagency Coordinating Committee”.

13 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) Section 12 of the Earthquake Hazards Reduction
15 Act of 1977 (42 U.S.C. 7706) is amended—

16 (1) in subsection (a), by adding after paragraph
17 (7) the following new paragraph:

18 “(8) There are authorized to be appropriated to the
19 Federal Emergency Management Agency for carrying out
20 this Act \$19,000,000 for fiscal year 2004; \$21,000,000 for
21 fiscal year 2005; and \$23,000,000 for fiscal year 2006. Of
22 such amounts appropriated, not less than \$3,000,000 shall
23 be made available each such fiscal year for supporting the
24 development of performance-based, cost-effective, and afford-
25 able codes for buildings, structures, and lifelines.”;

1 (2) *in subsection (b), by adding at the end the*
2 *following: “There are authorized to be appropriated to*
3 *the United States Geological Survey for carrying out*
4 *this Act \$80,000,000 for fiscal year 2004, of which*
5 *not less than \$30,000,000 shall be made available for*
6 *completion of the Advanced National Seismic Re-*
7 *search and Monitoring System established under sec-*
8 *tion 13; \$83,500,000 for fiscal year 2005, of which*
9 *not less than \$30,000,000 shall be made available for*
10 *completion of the Advanced National Seismic Re-*
11 *search and Monitoring System established under sec-*
12 *tion 13; \$93,000,000 for fiscal year 2006, of which*
13 *not less than \$36,000,000 shall be made available for*
14 *completion of the Advanced National Seismic Re-*
15 *search and Monitoring System established under sec-*
16 *tion 13; such sums as may be necessary for fiscal year*
17 *2007, of which not less than \$36,000,000 shall be*
18 *made available for completion of the Advanced Na-*
19 *tional Seismic Research and Monitoring System es-*
20 *tablished under section 13; and such sums as may be*
21 *necessary for fiscal year 2008, of which not less than*
22 *\$36,000,000 shall be made available for completion of*
23 *the Advanced National Seismic Research and Moni-*
24 *toring System established under section 13.”;*

1 (3) in subsection (c), by adding at the end the
2 following: “There are authorized to be appropriated to
3 the National Science Foundation for carrying out this
4 Act \$39,000,000 for fiscal year 2004; \$44,000,000 for
5 fiscal year 2005; and \$47,500,000 for fiscal year
6 2006.”; and

7 (4) in subsection (d) by adding at the end the
8 following: “There are authorized to be appropriated to
9 the National Institute of Standards and Technology
10 for carrying out this Act \$8,000,000 for fiscal year
11 2004; \$9,600,000 for fiscal year 2005; and
12 \$12,500,000 for fiscal year 2006. Of such amounts ap-
13 propriated, not less than \$2,000,000 shall be made
14 available each such fiscal year for supporting the de-
15 velopment of performance-based, cost-effective, and af-
16 fordable codes for buildings, structures, and lifelines.”.

17 (b) Section 13 of the *Earthquake Hazards Reduction*
18 *Act of 1977* (42 U.S.C. 7707) is amended by striking sub-
19 section (c).

20 (c) Section 14(b) of the *Earthquake Hazards Reduc-*
21 *tion Act of 1977* (42 U.S.C. 7708(b)) is amended—

22 (1) in paragraph (3) by striking “and” at the
23 end; and

24 (2) by striking paragraph (4) and inserting the
25 following:

1 “(4) \$8,000,000 for fiscal year 2004;

2 “(5) \$20,000,000 for fiscal year 2005, all of
3 which shall be available for operations and
4 maintenance; and

5 “(6) \$20,000,000 for fiscal year 2006, all of
6 which shall be available for operations and
7 maintenance.”.

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