

110TH CONGRESS
2D SESSION

H. R. 7159

To reauthorize the National Windstorm Impact Reduction Program, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2008

Mr. MOORE of Kansas (for himself, Mr. MARIO DIAZ-BALART of Florida, Mr. HASTINGS of Florida, and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on Science and Technology, and in addition to the Committee on Transportation and Infrastructure, 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

A BILL

To reauthorize the National Windstorm Impact 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 Windstorm
5 Impact Reduction Reauthorization Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Section 202 of the National Windstorm Impact Re-
8 duction Act of 2004 (42 U.S.C. 15701) is amended—

1 (1) by redesignating paragraphs (3) and (4) as
2 paragraphs (4) and (5), respectively;

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

5 “(3) Global climate variability and climate
6 change may alter the frequency and intensity of se-
7 vere windstorm events, but further research is need-
8 ed to identify any such linkages and, if appropriate,
9 to incorporate climate-related impacts into wind-
10 storm risk and vulnerability assessments and mitiga-
11 tion activities.”; and

12 (3) in paragraph (5), as redesignated, by strik-
13 ing “interagency coordination” and inserting “co-
14 ordination among Federal agencies and with State
15 and local governments”.

16 **SEC. 3. DEFINITIONS.**

17 (a) DIRECTOR.—Section 203(1) of the National
18 Windstorm Impact Reduction Act of 2004 (42 U.S.C.
19 15702(1)) is amended by striking “Office of Science and
20 Technology Policy” and inserting “National Institute of
21 Standards and Technology”.

22 (b) INTERAGENCY WORKING GROUP.—Section 203
23 of such Act (42 U.S.C. 15702) is amended—

24 (1) by redesignating paragraphs (2) through
25 (4) as paragraphs (3) through (5), respectively; and

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

3 “(2) INTERAGENCY WORKING GROUP.—The
4 term ‘Interagency Working Group’ means the Inter-
5 agency Working Group on Wind Impact Reduction
6 established pursuant to section 204(f).”.

7 **SEC. 4. NATIONAL WINDSTORM IMPACT REDUCTION PRO-**
8 **GRAM.**

9 (a) LEAD FEDERAL AGENCY.—Section 204 of the
10 National Windstorm Impact Reduction Act of 2004 (42
11 U.S.C. 15703) is amended—

12 (1) by striking subsection (c);

13 (2) by redesignating subsection (d) as sub-
14 section (c); and

15 (3) by inserting after subsection (c), as redesign-
16 ated, the following:

17 “(d) LEAD FEDERAL AGENCY.—The National Insti-
18 tute of Standards and Technology shall be the lead Fed-
19 eral agency for planning, management, and coordination
20 of the Program. In carrying out this subsection, the Direc-
21 tor shall—

22 “(1) establish a Program Office, which shall be
23 under the direction of a full-time Program Director,
24 to provide the planning, management, and coordina-
25 tion functions described in subsection (e);

1 “(2) in conjunction with other Program agen-
2 cies, prepare an annual budget for the Program,
3 which shall be submitted to the Office of Manage-
4 ment and Budget and shall include, for each Pro-
5 gram agency and for each major goal established for
6 the Program components under subsection (c)—

7 “(A) the Program budget for the current
8 fiscal year; and

9 “(B) the proposed Program budget for the
10 subsequent fiscal year;

11 “(3) facilitate the preparation of the Inter-
12 agency Working Group’s biennial report to Congress
13 and the National Science and Technology Council
14 under subsection (j);

15 “(4) support research and development to im-
16 prove building codes, standards, and practices for
17 design and construction of buildings, structures, and
18 lifelines;

19 “(5) in conjunction with the Federal Emer-
20 gency Management Agency, work closely with na-
21 tional standards and model building code organiza-
22 tions to promote the implementation of research re-
23 sults;

1 “(6) in partnership with other Federal agencies,
2 State and local governments, academia, and the pri-
3 vate sector, support—

4 “(A) the organization and deployment of
5 comprehensive, discipline-oriented interagency
6 teams to investigate major windstorm events;
7 and

8 “(B) the gathering, publishing, and
9 archiving of collected data and analysis results;
10 and

11 “(7) participate in, coordinate, or support, as
12 needed, other Program mitigation activities author-
13 ized under subsection (c).”

14 (b) PROGRAM OFFICE DUTIES.—Section 204 of such
15 Act (42 U.S.C. 15703) is further amended—

16 (1) by striking subsection (e);

17 (2) by redesignating subsection (f) as sub-
18 section (j); and

19 (3) by inserting after subsection (d), as added
20 by subsection (a)(3) of this Act, the following:

21 “(e) PROGRAM OFFICE.—The Program Office, estab-
22 lished under subsection (d)(1), shall—

23 “(1) ensure that all statutory requirements, in-
24 cluding reporting requirements, are met in accord-
25 ance with this Act;

1 “(2) ensure coordination and synergy across the
2 Program agencies in meeting the strategic goals and
3 objectives of the Program;

4 “(3) implement an outreach program to identify
5 and build effective partnerships with stakeholders in
6 the construction and insurance industries, Federal,
7 State, and local governments, academic and research
8 institutions, and non-governmental entities, such as
9 standards, codes, and technical organizations;

10 “(4) conduct studies on cross-cutting planning
11 issues, particularly those that are significant for the
12 development and updating of the strategic plan re-
13 quired under subsection (i); and

14 “(5) conduct analysis and evaluation studies to
15 measure the progress and results achieved in meet-
16 ing the strategic goals and objectives of the Pro-
17 gram.”.

18 (c) INTERAGENCY WORKING GROUP.—Section 204 of
19 such Act (42 U.S.C. 15703) is further amended by insert-
20 ing after subsection (e), as added by subsection (b)(3) of
21 this Act, the following:

22 “(f) INTERAGENCY WORKING GROUP.—

23 “(1) IN GENERAL.—There is established an
24 Interagency Working Group on Wind Impact Reduc-
25 tion, which shall report to the Director.

1 “(2) PURPOSE.—The primary purpose of the
2 Interagency Working Group is to coordinate activi-
3 ties and facilitate better communication among the
4 Program agencies in reducing the impacts of wind-
5 storms.

6 “(3) DUTIES.—The Interagency Working
7 Group shall—

8 “(A) facilitate Program planning, analysis,
9 and evaluation;

10 “(B) facilitate coordination and synergy
11 across the Program agencies in meeting the
12 strategic goals and objectives of the Program;

13 “(C) prepare the coordinated interagency
14 budget for the Program;

15 “(D) prepare the interim working plan re-
16 quired under subsection (h);

17 “(E) prepare the strategic plan with stake-
18 holder input required under subsection (i);

19 “(F) prepare the biennial report to Con-
20 gress and the National Science and Technology
21 Council required under subsection (j);

22 “(G) work with States, local governments,
23 non-governmental organizations, industry, aca-
24 demia, and research institutions, as appro-
25 priate; and

1 “(H) in partnership with State and local
2 governments, academia, and the private sector,
3 facilitate—

4 “(i) the organization and deployment
5 of comprehensive discipline-oriented inter-
6 agency teams to investigate major wind-
7 storm events; and

8 “(ii) the gathering, publishing, and
9 archiving of collected data and analysis re-
10 sults.

11 “(4) MEMBERSHIP.—The Interagency Working
12 Group shall be comprised of 1 representative from—

13 “(A) the National Institute of Standards
14 and Technology;

15 “(B) the National Science Foundation;

16 “(C) the National Oceanic and Atmos-
17 pheric Administration;

18 “(D) the Federal Emergency Management
19 Agency;

20 “(E) the Department of Transportation;

21 “(F) the National Aeronautics and Space
22 Administration;

23 “(G) the United States Army Corps of En-
24 gineers;

1 “(H) the Office of Science and Technology
2 Policy; and

3 “(I) the Office of Management and Budg-
4 et.

5 “(5) CHAIR.—The Program Director referred
6 to in subsection (d)(1) shall chair the Interagency
7 Working Group.

8 “(6) DUTIES OF THE CHAIR.—The Chair
9 shall—

10 “(A) convene at least 4 Interagency Work-
11 ing Group meetings per year, the first of which
12 shall be convened not later than 90 days after
13 the date of the enactment of the National
14 Windstorm Impact Reduction Reauthorization
15 Act of 2008;

16 “(B) ensure the timely submission of the
17 Interagency Working Group’s biennial report to
18 Congress and the National Science and Tech-
19 nology Council required under subsection (j);
20 and

21 “(C) carry out such other duties as nec-
22 essary to carry out this Act.”.

23 (d) PROGRAM AGENCIES.—Section 204 of such Act
24 (42 U.S.C. 15703) is further amended by inserting after

1 subsection (f), as added by subsection (c) of this Act, the
2 following new subsection:

3 “(g) PROGRAM AGENCIES.—

4 “(1) NATIONAL SCIENCE FOUNDATION.—The
5 National Science Foundation shall support research
6 in engineering and the atmospheric sciences to im-
7 prove the understanding of the behavior of wind-
8 storms and the impact of windstorms on buildings,
9 structures, and lifelines.

10 “(2) NATIONAL OCEANIC AND ATMOSPHERIC
11 ADMINISTRATION.—The National Oceanic and At-
12 mospheric Administration shall support atmospheric
13 sciences research to improve the understanding of
14 the behavior of windstorms and the impact of wind-
15 storms on buildings, structures, and lifelines through
16 wind observations, modeling, and analysis.

17 “(3) FEDERAL EMERGENCY MANAGEMENT
18 AGENCY.—The Federal Emergency Management
19 Agency shall support—

20 “(A) the development of risk assessment
21 tools, effective mitigation techniques, and re-
22 lated guidance documents and products;

23 “(B) windstorm-related data collection and
24 analysis;

25 “(C) evacuation planning;

1 “(D) public outreach and information dis-
2 semination; and

3 “(E) the implementation of mitigation
4 measures consistent with the Federal Emer-
5 gency Management Agency’s all-hazards ap-
6 proach.

7 “(4) DEPARTMENT OF TRANSPORTATION.—The
8 Department of Transportation shall—

9 “(A) support research aimed at under-
10 standing, measuring, predicting, and designing
11 for wind effects on transportation infrastruc-
12 ture, including bridges; and

13 “(B) assist in evacuation planning.

14 “(5) NATIONAL AERONAUTICS AND SPACE AD-
15 MINISTRATION.—The National Aeronautics and
16 Space Administration shall support—

17 “(A) research to improve understanding of
18 the regional and global behavior of windstorms;
19 and

20 “(B) dissemination and utilization of ob-
21 servational data from existing satellites and
22 sensors, forecasts, and other analytical products
23 that can aid in reducing windstorm impacts.

1 “(6) UNITED STATES ARMY CORPS OF ENGI-
2 NEERS.—The United States Army Corps of Engi-
3 neers shall—

4 “(A) support research to improve under-
5 standing of wind effects on storm surge and
6 other flooding; and

7 “(B) support development of evacuation
8 plans and other activities or tools that will re-
9 duce the potential for loss of life or structure
10 damage as a result of windstorms.”.

11 (e) INTERIM WORKING PLAN; STRATEGIC PLAN.—
12 Section 204 of such Act (42 U.S.C. 15703) is further
13 amended by inserting after subsection (g), as added by
14 subsection (d) of this Act, the following:

15 “(h) INTERIM WORKING PLAN.—Not later than 6
16 months after the date of enactment of this subsection, the
17 Interagency Working Group shall submit to Congress an
18 interim working plan that will guide the implementation
19 of Program operations until approval of the strategic plan
20 under subsection (i).

21 “(i) STRATEGIC PLAN.—

22 “(1) IN GENERAL.—Not later than 18 months
23 after the date of enactment of this subsection, the
24 Interagency Working Group shall submit to Con-

1 gress a strategic plan for achieving the objectives of
2 the Program.

3 “(2) CONTENTS.—The strategic plan shall in-
4 clude—

5 “(A) strategic goals and objectives for each
6 Program component area to be achieved in the
7 areas of data collection and analysis, risk as-
8 sessment, outreach, technology transfer, and re-
9 search and development;

10 “(B) an assessment of the strategic prior-
11 ities required to fill critical gaps in knowledge
12 and practice to ensure reduction in future wind-
13 storm impacts based on a review of past and
14 current public and private sector efforts, includ-
15 ing windstorm mitigation activities supported
16 by the Federal Government;

17 “(C) measurable outputs and outcomes to
18 achieve the strategic goals and objectives;

19 “(D) a description of how the Program will
20 achieve such goals and objectives including de-
21 tailed responsibilities for each Program agency;
22 and

23 “(E) plans for cooperation and coordina-
24 tion with interested public and private sector
25 entities in each Program component area.

1 “(3) INITIAL DEVELOPMENT.—The strategic
2 plan—

3 “(A) shall be developed with stakeholder
4 input; and

5 “(B) shall not be initially required to be
6 reviewed by the National Advisory Committee
7 on Windstorm Impact Reduction.

8 “(4) REGULAR UPDATES.—Not less frequently
9 than once every 3 years, the strategic plan—

10 “(A) shall be updated with stakeholder
11 input; and

12 “(B) shall be reviewed by the National Ad-
13 visory Committee on Windstorm Impact Reduc-
14 tion.”.

15 (f) BIENNIAL REPORT.—Section 204(j) of such Act,
16 as redesignated by subsection (b)(2) of this Act, is amend-
17 ed to read as follows:

18 “(j) BIENNIAL REPORT.—The Interagency Working
19 Group, on a biennial basis, and not later than 90 days
20 after the end of the preceding 2 fiscal years, shall—

21 “(1) after considering the recommendations of
22 the advisory committee established under section
23 205, prepare a biennial report that describes the sta-
24 tus of the Program, including—

1 “(A) Program activities and progress
2 achieved during the preceding 2 fiscal years in
3 meeting goals established for each Program
4 component under subsection (c);

5 “(B) challenges and impediments to the
6 fulfillment of the Program’s objectives; and

7 “(C) any recommendations for legislative
8 and other action the Interagency Working
9 Group considers necessary and appropriate; and

10 “(2) submit the report prepared under para-
11 graph (1) to Congress and the National Science and
12 Technology Council.”.

13 **SEC. 5. NATIONAL ADVISORY COMMITTEE ON WINDSTORM**
14 **IMPACT REDUCTION.**

15 (a) IN GENERAL.—Section 205(a) of the National
16 Windstorm Impact Reduction Act of 2004 (42 U.S.C.
17 15704(a)) is amended by striking “The Director”, and in-
18 serting “Not later than 6 months after the date of the
19 enactment of the National Windstorm Impact Reduction
20 Reauthorization Act of 2008, the Director”.

21 (b) CONFORMING AMENDMENT.—Section 205(b)(2)
22 of such Act (42 U.S.C. 15704(b)(2)) is amended by strik-
23 ing “section 204(d)” and inserting “section 204(e)”.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 207 of the National Windstorm Impact Re-
3 duction Act of 2004 (42 U.S.C. 15706) is amended to
4 read as follows:

5 **“SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

6 “(a) IN GENERAL.—There are authorized to be ap-
7 propriated \$30,000,000 for each of the fiscal years 2009
8 through 2013 to carry out this title, of which not greater
9 than—

10 “(1) \$5,000,000 shall be allocated for the Na-
11 tional Institute of Standards and Technology;

12 “(2) \$9,400,000 shall be allocated for the Na-
13 tional Science Foundation;

14 “(3) \$2,200,000 shall be allocated for the Na-
15 tional Oceanic and Atmospheric Administration;

16 “(4) \$9,400,000 shall be allocated for the Fed-
17 eral Emergency Management Agency;

18 “(5) \$1,333,333 shall be allocated for the De-
19 partment of Transportation;

20 “(6) \$1,333,333 shall be allocated for the Na-
21 tional Aeronautics and Space Administration; and

22 “(7) \$1,333,333 shall be allocated for the
23 United States Army Corps of Engineers.

24 “(b) AUTHORIZATION FOR PROGRAM PLANNING,
25 MANAGEMENT, AND COORDINATION.—

1 “(1) LEAD AGENCY.—From the amounts appro-
2 priated for the National Institute of Standards and
3 Technology pursuant to subsection (a)(1)—

4 “(A) up to \$1,000,000 per fiscal year may
5 be allocated for carrying out the lead agency
6 planning, management, and coordination func-
7 tions assigned to the National Institute of
8 Standards and Technology under section
9 204(d); and

10 “(B) not greater than 8 percent of such
11 amounts may be allocated for managing the
12 National Institute of Standards and Technology
13 assigned research and development responsibil-
14 ities.

15 “(2) OTHER PROGRAM AGENCIES.—From the
16 amounts appropriated to each of the Program agen-
17 cies under paragraphs (2) through (7) of subsection
18 (a), not greater than 8 percent may be allocated to
19 each such agency for carrying out planning, manage-
20 ment, and coordination functions assigned to such
21 agency under this Act, including participation in the
22 Interagency Working Group.

23 “(c) REMAINDER AUTHORIZED FOR PROGRAM AC-
24 TIVITIES.—Any amounts appropriated pursuant to sub-
25 section (a) that are not allocated under subsection (b)

1 shall be allocated to Program activities carried out in ac-
2 cordance with the objectives of the Program, including—

3 “(1) data collection and analysis;

4 “(2) risk assessment;

5 “(3) outreach;

6 “(4) technology transfer; and

7 “(5) research and development.”.

○