

108TH CONGRESS  
1ST SESSION

# H. R. 2608

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

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## 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

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## 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  
6       2003”.

1 **SEC. 2. DEFINITIONS.**

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

5 “(8) The term ‘Interagency Coordinating Com-  
6 mittee’ means the Interagency Coordinating Com-  
7 mittee on Earthquake Hazards Reduction estab-  
8 lished under section 5(a).

9 “(9) The term ‘Advisory Committee’ means the  
10 Advisory Committee established under section  
11 5(a)(5).”.

12 **SEC. 3. NATIONAL EARTHQUAKE HAZARDS REDUCTION**  
13 **PROGRAM.**

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

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

18 “(a) ESTABLISHMENT.—

19 “(1) IN GENERAL.—There is established the  
20 National Earthquake Hazards Reduction Program.

21 “(2) PROGRAM ACTIVITIES.—The activities of  
22 the Program shall be designed to—

23 “(A) develop effective measures for earth-  
24 quake hazards reduction;

25 “(B) promote the adoption of earthquake  
26 hazards reduction measures by Federal, State,

1 and local governments, national standards and  
2 model code organizations, architects and engi-  
3 neers, building owners, and others with a role  
4 in planning and constructing buildings and life-  
5 lines through—

6 “(i) grants, contracts, cooperative  
7 agreements, and technical assistance;

8 “(ii) development of standards and  
9 guidelines for earthquake hazards reduc-  
10 tion for structures and lifelines; and

11 “(iii) development and maintenance of  
12 a repository of information, including tech-  
13 nical data, on seismic risk and hazards re-  
14 duction; and

15 “(C) improve the understanding of earth-  
16 quakes and their effects on buildings and life-  
17 lines.

18 “(3) INTERAGENCY COORDINATING COMMITTEE  
19 ON EARTHQUAKE HAZARDS REDUCTION.—

20 “(A) IN GENERAL.—There is established  
21 an Interagency Coordinating Committee on  
22 Earthquake Hazards Reduction chaired by the  
23 Director of the National Institute of Standards  
24 and Technology (referred to in this subsection  
25 as the ‘Director’).

1           “(B) MEMBERSHIP.—The committee shall  
2           be composed of the directors of—

3                   “(i) the Federal Emergency Manage-  
4                   ment Agency;

5                   “(ii) the United States Geological  
6                   Survey;

7                   “(iii) the National Science Founda-  
8                   tion;

9                   “(iv) the Office of Science and Tech-  
10                  nology Policy; and

11                  “(v) the Office of Management and  
12                  Budget.

13           “(C) MEETINGS.—The Committee shall  
14           meet not less than 3 times a year at the call of  
15           the Director.

16           “(D) PURPOSE AND DUTIES.—The Inter-  
17           agency Coordinating Committee shall oversee  
18           the planning, management, and coordination of  
19           the Program. The Interagency Coordinating  
20           Committee shall—

21                   “(i) develop, not later than 6 months  
22                   after the date of enactment of this Act,  
23                   and update periodically—

24                           “(I) a strategic plan that estab-  
25                           lishes goals and priorities for the Pro-

1                   gram activities described under sub-  
2                   section (a)(2); and

3                   “(II) a detailed management plan  
4                   to implement such strategic plan; and

5                   “(ii) develop a coordinated inter-  
6                   agency budget for the Program that will  
7                   ensure appropriate balance among the Pro-  
8                   gram activities described under subsection  
9                   (a)(2), and submit such budget to the Di-  
10                  rector of the Office of Management and  
11                  Budget at the time designated by that of-  
12                  fice for agencies to submit annual budgets.

13               “(4) ANNUAL REPORT.—The Interagency Co-  
14               ordinating Committee shall transmit, at the time of  
15               the President’s budget request to Congress, an an-  
16               nual report to the Committee on Science and the  
17               Committee on Resources of the House of Represent-  
18               atives, and the Committee on Commerce, Science,  
19               and Transportation of the Senate. Such report shall  
20               include—

21               “(A) the Program budget for the current  
22               fiscal year for each agency that participates in  
23               the Program, and for each major goal estab-  
24               lished for the Program activities under subpara-  
25               graph (3)(A);

1 “(B) the proposed Program budget for the  
2 next fiscal year for each agency that partici-  
3 pates in the Program, and for each major goal  
4 established for the Program activities under  
5 subparagraph (3)(A);

6 “(C) a description of the activities and re-  
7 sults of the Program during the previous year,  
8 including an assessment of the effectiveness of  
9 the Program in furthering the goals established  
10 in the strategic plan under (3)(A);

11 “(D) a description of the extent to which  
12 the Program has incorporated the recommenda-  
13 tions of the Advisory Committee; and

14 “(E) a description of activities, including  
15 budgets for the current fiscal year and proposed  
16 budgets for the next fiscal year, that are carried  
17 out by Program agencies and contribute to the  
18 Program, but are not included in the Program.

19 “(5) ADVISORY COMMITTEE.—

20 “(A) IN GENERAL.—The Director shall es-  
21 tablish an Advisory Committee on Earthquake  
22 Hazards Reduction consisting of non-Federal  
23 members, including representatives of research  
24 and academic institutions, industry, and State  
25 and local government, who are qualified to pro-

1           vide advice on earthquake hazards reduction.  
2           The recommendations of the Advisory Com-  
3           mittee shall be considered by Federal agencies  
4           in implementing the Program.

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

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

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

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

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

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

logical Survey Scientific Earthquake Studies  
Advisory Committee.

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

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “Federal Emergency  
Management Agency” and all that follows  
through “of the Agency” and inserting  
“National Institute of Standards and  
Technology shall have the primary respon-  
sibility for planning and coordinating the  
Program. In carrying out this paragraph,  
the Director of the Institute”;

(ii) by striking subparagraphs (B) and  
(C) and redesignating subparagraphs (D)  
and (E) as subparagraphs (C) and (D), re-  
spectively;

(iii) by inserting after subparagraph  
(A) the following:

“(B) support the development of perform-  
ance-based seismic engineering tools, and work  
with appropriate groups to promote the com-



1           mercial application of such tools, through earth-  
2           quake-related building codes, standards, and  
3           construction practices;” and

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.”;  
8                   and

9                   (v) in subparagraph (D), as redesign-  
10                  nated by clause (ii), by striking “National  
11                  Science Foundation, the National Insti-  
12                  tutes of Standards and Technology” and  
13                  inserting “Federal Emergency Manage-  
14                  ment Agency, the National Science Foun-  
15                  dation”;

16                (B) in paragraph (2)(A) by striking “In  
17                addition to the lead” and all that follows  
18                through “Agency” and inserting “The Director  
19                of the Federal Emergency Management Agency  
20                (in this Act referred to as the ‘Agency’)”;

21                (C) in paragraph (3)—

22                   (i) by inserting “and other activities”  
23                   after “shall conduct research”;

24                   (ii) in subparagraphs (C) and (D), by  
25                   striking “the Agency” both places it ap-

1           pears and inserting “the Director of the  
2           Federal Emergency Management Agency  
3           and the Director of the National Institute  
4           for Standards and Technology”;

5           (iii) in subparagraph (E), by striking  
6           “establish, using existing facilities, a Cen-  
7           ter for the International Exchange of  
8           Earthquake Information” and inserting  
9           “operate, using the National Earthquake  
10          Information Center, a forum for the inter-  
11          national exchange of earthquake informa-  
12          tion”;

13          (iv) in subparagraph (F), by striking  
14          “Network” and inserting “System”; and

15          (v) by inserting after subparagraph  
16          (H) the following new subparagraph:

17          “(I) work with other Program agencies to  
18          coordinate Program activities with similar  
19          earthquake hazards reduction efforts in other  
20          countries, to ensure that the Program benefits  
21          from relevant information and advances in  
22          those countries.”; and

23          (D) in paragraph (5), by striking “The  
24          National” and inserting “In addition to the

1           lead agency responsibilities described under  
2           paragraph (1), the National”; and  
3           (3) in subsection (c)(1), by striking “Agency”  
4           and inserting “Interagency Coordinating Com-  
5           mittee”.

6 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

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

11           “(8) There are authorized to be appropriated to  
12          the Federal Emergency Management Agency for car-  
13          rying out this Act \$18,500,000 for fiscal year 2004,  
14          \$20,500,000 for fiscal year 2005, and \$22,500,000  
15          for fiscal year 2006.”;

16          (2) in subsection (b), by adding at the end the  
17          following: “There are authorized to be appropriated  
18          to the United States Geological Survey for carrying  
19          out this Act \$80,000,000 for fiscal year 2004, of  
20          which not less than \$30,000,000 shall be made  
21          available for completion of the Advanced National  
22          Seismic Research and Monitoring System established  
23          under section 13; \$83,500,000 for fiscal year 2005,  
24          of which not less than \$30,000,000 shall be made  
25          available for completion of the Advanced National

1       Seismic Research and Monitoring System established  
2       under section 13; \$93,000,000 for fiscal year 2006,  
3       of which not less than \$36,000,000 shall be made  
4       available for completion of the Advanced National  
5       Seismic Research and Monitoring System established  
6       under section 13; such sums as may be necessary for  
7       fiscal year 2007, of which not less than \$36,000,000  
8       shall be made available for completion of the Ad-  
9       vanced National Seismic Research and Monitoring  
10      System established under section 13; and such sums  
11      as may be necessary for fiscal year 2008, of which  
12      not less than \$36,000,000 shall be made available  
13      for completion of the Advanced National Seismic Re-  
14      search and Monitoring System established under  
15      section 13.”;

16           (3) in subsection (c), by adding at the end the  
17      following: “There are authorized to be appropriated  
18      to the National Science Foundation for carrying out  
19      this Act \$39,000,000 for fiscal year 2004;  
20      \$44,000,000 for fiscal year 2005; and \$47,500,000  
21      for fiscal year 2006.”; and

22           (4) in subsection (d) by adding at the end the  
23      following: “There are authorized to be appropriated  
24      to the National Institute of Standards and Tech-  
25      nology for carrying out this Act \$8,000,000 for fis-

1 cal year 2004; \$9,600,000 for fiscal year 2005; and  
2 \$12,500,000 for fiscal year 2006.”.

3 (b) Section 13 of the Earthquake Hazards Reduction  
4 Act of 1977 (42 U.S.C. 7707) is amended by striking sub-  
5 section (c).

6 (c) Section 14(b) of the Earthquake Hazards Reduc-  
7 tion Act of 1977 (42 U.S.C. 7708(b)) is amended by strik-  
8 ing paragraph (4) and inserting the following:

9 “(4) \$8,000,000 for fiscal year 2004;

10 “(5) \$15,000,000 for fiscal year 2005, all of  
11 which shall be available for operations and mainte-  
12 nance; and

13 “(6) \$15,000,000 for fiscal year 2006, all of  
14 which shall be available for operations and mainte-  
15 nance.”.

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