

108TH CONGRESS
1ST SESSION

H. R. 2608

IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 2003

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Earthquake
3 Hazards Reduction Program Reauthorization Act of
4 2003”.

5 **SEC. 2. DEFINITIONS.**

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

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

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

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

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

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

22 “(a) ESTABLISHMENT.—

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

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

1 “(A) develop effective measures for earth-
2 quake hazards reduction;

3 “(B) promote the adoption of earthquake
4 hazards reduction measures by Federal, State,
5 and local governments, national standards and
6 model code organizations, architects and engi-
7 neers, building owners, and others with a role
8 in planning and constructing buildings, struc-
9 tures, and lifelines through—

10 “(i) grants, contracts, cooperative
11 agreements, and technical assistance;

12 “(ii) development of standards, guide-
13 lines, and voluntary consensus codes for
14 earthquake hazards reduction for build-
15 ings, structures, and lifelines; and

16 “(iii) development and maintenance of
17 a repository of information, including tech-
18 nical data, on seismic risk and hazards re-
19 duction; and

20 “(C) improve the understanding of earth-
21 quakes and their effects on communities, build-
22 ings, structures, and lifelines, through inter-
23 disciplinary research that involves engineering,
24 natural sciences, and social, economic, and deci-
25 sions sciences.

1 “(3) INTERAGENCY COORDINATING COMMITTEE
2 ON EARTHQUAKE HAZARDS REDUCTION.—

3 “(A) IN GENERAL.—There is established
4 an Interagency Coordinating Committee on
5 Earthquake Hazards Reduction chaired by the
6 Director of the National Institute of Standards
7 and Technology (referred to in this subsection
8 as the ‘Director’).

9 “(B) MEMBERSHIP.—The committee shall
10 be composed of the directors of—

11 “(i) the Federal Emergency Manage-
12 ment Agency;

13 “(ii) the United States Geological
14 Survey;

15 “(iii) the National Science Founda-
16 tion;

17 “(iv) the Office of Science and Tech-
18 nology Policy; and

19 “(v) the Office of Management and
20 Budget.

21 “(C) MEETINGS.—The Committee shall
22 meet not less than 3 times a year at the call of
23 the Director.

24 “(D) PURPOSE AND DUTIES.—The Inter-
25 agency Coordinating Committee shall oversee

1 the planning, management, and coordination of
2 the Program. The Interagency Coordinating
3 Committee shall—

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

7 “(I) a strategic plan that estab-
8 lishes goals and priorities for the Pro-
9 gram activities described under sub-
10 section (a)(2); and

11 “(II) a detailed management plan
12 to implement such strategic plan; and

13 “(ii) develop a coordinated inter-
14 agency budget for the Program that will
15 ensure appropriate balance among the Pro-
16 gram activities described under subsection
17 (a)(2), and submit such budget to the Di-
18 rector of the Office of Management and
19 Budget at the time designated by that of-
20 fice for agencies to submit annual budgets.

21 “(4) ANNUAL REPORT.—The Interagency Co-
22 ordinating Committee shall transmit, at the time of
23 the President’s budget request to Congress, an an-
24 nual report to the Committee on Science and the
25 Committee on Resources of the House of Represent-

1 atives, and the Committee on Commerce, Science,
2 and Transportation of the Senate. Such report shall
3 include—

4 “(A) the Program budget for the current
5 fiscal year for each agency that participates in
6 the Program, and for each major goal estab-
7 lished for the Program activities under subpara-
8 graph (3)(A);

9 “(B) the proposed Program budget for the
10 next fiscal year for each agency that partici-
11 pates in the Program, and for each major goal
12 established for the Program activities under
13 subparagraph (3)(A);

14 “(C) a description of the activities and re-
15 sults of the Program during the previous year,
16 including an assessment of the effectiveness of
17 the Program in furthering the goals established
18 in the strategic plan under (3)(A);

19 “(D) a description of the extent to which
20 the Program has incorporated the recommenda-
21 tions of the Advisory Committee;

22 “(E) a description of activities, including
23 budgets for the current fiscal year and proposed
24 budgets for the next fiscal year, that are carried
25 out by Program agencies and contribute to the

1 Program, but are not included in the Program;
2 and

3 “(F) a description of the activities, includ-
4 ing budgets for the current fiscal year and pro-
5 posed budgets for the following fiscal year, re-
6 lated to the grant program carried out under
7 subsection (b)(2)(A)(i).

8 “(5) ADVISORY COMMITTEE.—

9 “(A) IN GENERAL.—The Director shall es-
10 tablish an Advisory Committee on Earthquake
11 Hazards Reduction consisting of non-Federal
12 members, including representatives of research
13 and academic institutions, industry standards
14 development organizations, State and local gov-
15 ernment, and financial communities who are
16 qualified to provide advice on earthquake haz-
17 ards reduction. The recommendations of the
18 Advisory Committee shall be considered by Fed-
19 eral agencies in implementing the Program.

20 “(B) ASSESSMENT.—The Advisory Com-
21 mittee shall assess—

22 “(i) trends and developments in the
23 science and engineering of earthquake haz-
24 ards reduction;

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

3 “(iii) the need to revise the Program;
4 and

5 “(iv) the management, coordination,
6 implementation, and activities of the Pro-
7 gram.

8 “(C) REPORT.—Not later than 1 year
9 after the date of enactment of this Act and at
10 least once every 2 years thereafter, the Advisory
11 Committee shall report to the Director on its
12 findings of the assessment carried out under
13 subparagraph (B) and its recommendations for
14 ways to improve the Program. In developing
15 recommendations, the Committee shall consider
16 the recommendations of the United States Geo-
17 logical Survey Scientific Earthquake Studies
18 Advisory Committee.

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

23 (2) in subsection (b)—

24 (A) in paragraph (1)—

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

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

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

15 “(B) support the development of perform-
16 ance-based seismic engineering tools, and work
17 with appropriate groups to promote the com-
18 mercial application of such tools, through earth-
19 quake-related building codes, standards, and
20 construction practices;”;

21 (iv) by striking “The principal official
22 carrying out the responsibilities described
23 in this paragraph shall be at a level no
24 lower than that of Associate Director.”;
25 and

1 (v) in subparagraph (D), as redesignated by clause (ii), by striking “National
2 Science Foundation, the National Institutes of Standards and Technology” and
3 inserting “Federal Emergency Management Agency, the National Science Foundation”;
4
5

6 (B) in paragraph (2)(A)—
7

8 (i) by striking “In addition to the
9 lead” and all that follows through “Agency” and inserting “The Director of the
10 Federal Emergency Management Agency
11 (in this Act referred to as the ‘Agency’)”;
12
13 and
14

15 (ii) by amending clause (iii) to read as
16 follows:

17 “(iii) assist the National Institute of
18 Standards and Technology, other Federal
19 agencies, and private sector groups in the
20 preparation and wide dissemination of
21 building codes and practices for structures
22 and lifelines, and aid in the development of
23 performance based codes for buildings,
24 structures, and lifelines that are cost effective and affordable;”;
25

1 (C) in paragraph (3)—

2 (i) by inserting “and other activities”
3 after “shall conduct research”;

4 (ii) in subparagraphs (C) and (D), by
5 striking “the Agency” both places it ap-
6 pears and inserting “the Director of the
7 Federal Emergency Management Agency
8 and the Director of the National Institute
9 of Standards and Technology”;

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

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

20 (v) by inserting after subparagraph
21 (H) the following new subparagraphs:

22 “(I) work with other Program agencies to
23 coordinate Program activities with similar
24 earthquake hazards reduction efforts in other
25 countries, to ensure that the Program benefits

1 from relevant information and advances in
2 those countries; and

3 “(J) maintain suitable seismic hazard
4 maps in support of building codes for structures
5 and lifelines, including additional maps needed
6 for performance based design approaches.”;

7 (D) in paragraph (4)—

8 (i) by redesignating subparagraphs
9 (D), (E), and (F) as subparagraphs (E),
10 (F), and (H), respectively;

11 (ii) by inserting after subparagraph
12 (C) the following:

13 “(D) support research that improves the
14 safety and performance of buildings, structures,
15 and lifeline systems using large-scale experi-
16 mental and computational facilities;”;

17 (iii) in subparagraph (F) (as so redes-
18 ignated), by striking “; and” and inserting
19 a semicolon; and

20 (iv) by inserting after subparagraph
21 (F) (as so redesignated) the following:

22 “(G) include to the maximum extent prac-
23 ticable diverse institutions, including Histori-
24 cally Black Colleges and Universities and those
25 serving large proportions of Hispanics, Native

1 Americans, Asian-Pacific Americans, and other
2 underrepresented populations; and”; and

3 (E) in paragraph (5), by striking “The
4 National” and inserting “In addition to the
5 lead agency responsibilities described under
6 paragraph (1), the National”; and

7 (3) in subsection (c)(1), by striking “Agency”
8 and inserting “Interagency Coordinating Com-
9 mittee”.

10 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

24 (2) in subsection (b), by adding at the end the
25 following: “There are authorized to be appropriated

1 to the United States Geological Survey for carrying
2 out this Act \$80,000,000 for fiscal year 2004, of
3 which not less than \$30,000,000 shall be made
4 available for completion of the Advanced National
5 Seismic Research and Monitoring System established
6 under section 13; \$83,500,000 for fiscal year 2005,
7 of which not less than \$30,000,000 shall be made
8 available for completion of the Advanced National
9 Seismic Research and Monitoring System established
10 under section 13; \$93,000,000 for fiscal year 2006,
11 of which not less than \$36,000,000 shall be made
12 available for completion of the Advanced National
13 Seismic Research and Monitoring System established
14 under section 13; such sums as may be necessary for
15 fiscal year 2007, of which not less than \$36,000,000
16 shall be made available for completion of the Ad-
17 vanced National Seismic Research and Monitoring
18 System established under section 13; and such sums
19 as may be necessary for fiscal year 2008, of which
20 not less than \$36,000,000 shall be made available
21 for completion of the Advanced National Seismic Re-
22 search and Monitoring System established under
23 section 13.”;

24 (3) in subsection (c), by adding at the end the
25 following: “There are authorized to be appropriated

1 to the National Science Foundation for carrying out
2 this Act \$39,000,000 for fiscal year 2004;
3 \$44,000,000 for fiscal year 2005; and \$47,500,000
4 for fiscal year 2006.”; and

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

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

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

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

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

25 “(4) \$8,000,000 for fiscal year 2004;

1 “(5) \$20,000,000 for fiscal year 2005, all
2 of which shall be available for operations and
3 maintenance; and

4 “(6) \$20,000,000 for fiscal year 2006, all
5 of which shall be available for operations and
6 maintenance.”.

Passed the House of Representatives October 1,
2003.

Attest:

JEFF TRANDAHL,
Clerk.