

Calendar No. 771

108TH CONGRESS  
2D SESSION**H. R. 2608****[Report No. 108–385]**

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IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 2003

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

OCTOBER 5, 2004

Reported by Mr. MCCAIN, without amendment

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**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,*

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, struc-  
5 tures, and lifelines through—

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

8 “(ii) development of standards, guide-  
9 lines, and voluntary consensus codes for  
10 earthquake hazards reduction for build-  
11 ings, structures, and lifelines; and

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

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

22 “(3) INTERAGENCY COORDINATING COMMITTEE  
23 ON EARTHQUAKE HAZARDS REDUCTION.—

24 “(A) IN GENERAL.—There is established  
25 an Interagency Coordinating Committee on

1 Earthquake Hazards Reduction chaired by the  
2 Director of the National Institute of Standards  
3 and Technology (referred to in this subsection  
4 as the ‘Director’).

5 “(B) MEMBERSHIP.—The committee shall  
6 be composed of the directors of—

7 “(i) the Federal Emergency Manage-  
8 ment Agency;

9 “(ii) the United States Geological  
10 Survey;

11 “(iii) the National Science Founda-  
12 tion;

13 “(iv) the Office of Science and Tech-  
14 nology Policy; and

15 “(v) the Office of Management and  
16 Budget.

17 “(C) MEETINGS.—The Committee shall  
18 meet not less than 3 times a year at the call of  
19 the Director.

20 “(D) PURPOSE AND DUTIES.—The Inter-  
21 agency Coordinating Committee shall oversee  
22 the planning, management, and coordination of  
23 the Program. The Interagency Coordinating  
24 Committee shall—

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

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

8 “(II) a detailed management plan  
9 to implement such strategic plan; and

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

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

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

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

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

16          “(D) a description of the extent to which  
17          the Program has incorporated the recommenda-  
18          tions of the Advisory Committee;

19          “(E) a description of activities, including  
20          budgets for the current fiscal year and proposed  
21          budgets for the next fiscal year, that are carried  
22          out by Program agencies and contribute to the  
23          Program, but are not included in the Program;  
24          and

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

6           “(5) ADVISORY COMMITTEE.—

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

18          “(B) ASSESSMENT.—The Advisory Com-  
19          mittee shall assess—

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

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

1 “(iii) the need to revise the Program;  
2 and

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

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

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

21 (2) in subsection (b)—

22 (A) in paragraph (1)—

23 (i) by striking “Federal Emergency  
24 Management Agency” and all that follows  
25 through “of the Agency” and inserting



1 “National Institute of Standards and  
2 Technology shall have the primary respon-  
3 sibility for planning and coordinating the  
4 Program. In carrying out this paragraph,  
5 the Director of the Institute”;

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

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

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

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

23 (v) in subparagraph (D), as redesign-  
24 nated by clause (ii), by striking “National  
25 Science Foundation, the National Insti-

1 tutes of Standards and Technology” and  
2 inserting “Federal Emergency Manage-  
3 ment Agency, the National Science Foun-  
4 dation”;

5 (B) in paragraph (2)(A)—

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

12 (ii) by amending clause (iii) to read as  
13 follows:

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

23 (C) in paragraph (3)—

24 (i) by inserting “and other activities”  
25 after “shall conduct research”;

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

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

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

17 (v) by inserting after subparagraph  
18 (H) the following new subparagraphs:

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

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

(D) in paragraph (4)—

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

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

“(D) support research that improves the safety and performance of buildings, structures, and lifeline systems using large-scale experimental and computational facilities;”;

(iii) in subparagraph (F) (as so redesignated), by striking “; and” and inserting a semicolon; and

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

“(G) include to the maximum extent practicable diverse institutions, including Historically Black Colleges and Universities and those serving large proportions of Hispanics, Native Americans, Asian-Pacific Americans, and other underrepresented populations; and”; and

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

8 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

22 (2) in subsection (b), by adding at the end the  
23 following: “There are authorized to be appropriated  
24 to the United States Geological Survey for carrying  
25 out this Act \$80,000,000 for fiscal year 2004, of

1       which not less than \$30,000,000 shall be made avail-  
2       able for completion of the Advanced National Seismic  
3       Research and Monitoring System established under  
4       section 13; \$83,500,000 for fiscal year 2005, 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; \$93,000,000 for fiscal year 2006, of which  
9       not less than \$36,000,000 shall be made available for  
10      completion of the Advanced National Seismic Re-  
11      search and Monitoring System established under sec-  
12      tion 13; such sums as may be necessary for fiscal  
13      year 2007, of which not less than \$36,000,000 shall  
14      be made available for completion of the Advanced Na-  
15      tional Seismic Research and Monitoring System es-  
16      tablished under section 13; and such sums as may  
17      be necessary for fiscal year 2008, of which not less  
18      than \$36,000,000 shall be made available for comple-  
19      tion of the Advanced National Seismic Research and  
20      Monitoring System established under section 13.”;

21           (3) in subsection (c), by adding at the end the  
22      following: “There are authorized to be appropriated  
23      to the National Science Foundation for carrying out  
24      this Act \$39,000,000 for fiscal year 2004;

1       \$44,000,000 for fiscal year 2005; and \$47,500,000  
2       for fiscal year 2006.”; and

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

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

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

19           (1) in paragraph (3) by striking “and” at the  
20      end; and

21           (2) by striking paragraph (4) and inserting the  
22      following:

23           “(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.”.





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