

108TH CONGRESS
2^D SESSION

H. R. 3980

To establish a National Windstorm Impact Reduction Program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2004

Mr. NEUGEBAUER (for himself and Mr. MOORE) introduced the following bill; which was referred to the Committee on Science, 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 establish a National Windstorm Impact Reduction Program.

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 Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Hurricanes, tropical storms, tornadoes, and
9 thunderstorms can cause significant loss of life, in-

1 jury, destruction of property, and economic and so-
2 cial disruption. All States and regions are vulnerable
3 to these hazards.

4 (2) The United States currently sustains sev-
5 eral billion dollars in economic damages each year
6 due to these windstorms. In recent decades, rapid
7 development and population growth in high-risk
8 areas has greatly increased overall vulnerability to
9 windstorms.

10 (3) Improved windstorm impact reduction
11 measures have the potential to reduce these losses
12 through—

13 (A) cost-effective and affordable design
14 and construction methods and practices;

15 (B) effective mitigation programs at the
16 local, State, and national level;

17 (C) improved data collection and analysis
18 and impact prediction methodologies;

19 (D) engineering research on improving new
20 structures and retrofitting existing ones to bet-
21 ter withstand windstorms, atmospheric-related
22 research to better understand the behavior and
23 impact of windstorms on the built environment,
24 and subsequent application of those research re-
25 sults; and

1 (E) public education and outreach.

2 (4) There is an appropriate role for the Federal
3 Government in supporting windstorm impact reduc-
4 tion. An effective Federal program in windstorm im-
5 pact reduction will require interagency coordination,
6 and input from individuals, academia, the private
7 sector, and other interested non-Federal entities.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) The term “Director” means the Director of
11 the Office of Science and Technology Policy.

12 (2) The term “State” means each of the States
13 of the United States, the District of Columbia, the
14 Commonwealth of Puerto Rico, the United States
15 Virgin Islands, Guam, American Samoa, the Com-
16 monwealth of the Northern Mariana Islands, and
17 any other territory or possession of the United
18 States.

19 (3) The term “windstorm” means any storm
20 with a damaging or destructive wind component,
21 such as a hurricane, tropical storm, tornado, or
22 thunderstorm.

1 **SEC. 4. NATIONAL WINDSTORM IMPACT REDUCTION PRO-**
2 **GRAM.**

3 (a) ESTABLISHMENT.—There is established the Na-
4 tional Windstorm Impact Reduction Program (in this Act
5 referred to as the “Program”).

6 (b) OBJECTIVE.—The objective of the Program is the
7 achievement of major measurable reductions in losses of
8 life and property from windstorms. The objective is to be
9 achieved through a coordinated Federal effort, in coopera-
10 tion with other levels of government, academia, and the
11 private sector, aimed at improving the understanding of
12 windstorms and their impacts and developing and encour-
13 aging implementation of mitigation measures to reduce
14 those impacts.

15 (c) INTERAGENCY WORKING GROUP.—Not later than
16 90 days after the date of enactment of this Act, the Direc-
17 tor shall establish an Interagency Working Group con-
18 sisting of representatives of the National Science Founda-
19 tion, the National Oceanic and Atmospheric Administra-
20 tion, the National Institute of Standards and Technology,
21 the Federal Emergency Management Agency, and other
22 Federal agencies as appropriate. The Director shall des-
23 ignate an agency to serve as Chair of the Working Group
24 and be responsible for the planning, management, and co-
25 ordination of the Program, including budget coordination.
26 Specific agency roles and responsibilities under the Pro-

1 gram shall be defined in the implementation plan required
2 under subsection (e). General agency responsibilities shall
3 include the following:

4 (1) The National Institute of Standards and
5 Technology shall support research and development
6 to improve building codes and standards and prac-
7 tices for buildings, structures, and lifelines.

8 (2) The National Science Foundation shall sup-
9 port research in engineering and the atmospheric
10 sciences to improve the understanding of the behav-
11 ior of windstorms and their impact on buildings,
12 structures, and lifelines.

13 (3) The National Oceanographic and Atmos-
14 pheric Administration shall support atmospheric
15 sciences research to improve the understanding of
16 the behavior of windstorms and their impact on
17 buildings, structures, and lifelines.

18 (4) The Federal Emergency Management Agen-
19 cy shall support windstorm-related data collection
20 and analysis, public outreach, and information dis-
21 semination.

22 (d) PROGRAM COMPONENTS.—

23 (1) IN GENERAL.—The Program shall consist
24 of three primary mitigation components: improved
25 understanding of windstorms, windstorm impact as-

1 assessment, and windstorm impact reduction. The
2 components shall be implemented through activities
3 such as data collection and analysis, outreach, tech-
4 nology transfer, and research and development. To
5 the extent practicable, research activities authorized
6 under this Act shall be peer-reviewed, and the com-
7 ponents shall be designed to be complementary to,
8 and avoid duplication of, other public and private
9 hazard reduction efforts.

10 (2) UNDERSTANDING OF WINDSTORMS.—Activi-
11 ties to enhance the understanding of windstorms
12 shall include research to improve knowledge of and
13 data collection on the impact of severe wind on
14 buildings, structures, and infrastructure.

15 (3) WINDSTORM IMPACT ASSESSMENT.—Activi-
16 ties to improve windstorm impact assessment shall
17 include—

18 (A) development of mechanisms for col-
19 lecting and inventorying information on the per-
20 formance of buildings, structures, and infra-
21 structure in windstorms and improved collection
22 of pertinent information from sources, including
23 the design and construction industry, insurance
24 companies, and building officials;

1 (B) research and development to improve
2 loss estimation and risk assessment systems;
3 and

4 (C) research and development to improve
5 simulation and computational modeling of wind-
6 storm impacts.

7 (4) WINDSTORM IMPACT REDUCTION.—Activi-
8 ties to reduce windstorm impacts shall include—

9 (A) development of improved outreach and
10 implementation mechanisms to translate exist-
11 ing information and research findings into cost-
12 effective and affordable practices for design and
13 construction professionals, and State and local
14 officials;

15 (B) development of cost-effective and af-
16 fordable windstorm-resistant systems, struc-
17 tures, and materials for use in new construction
18 and retrofit of existing construction; and

19 (C) outreach and information dissemina-
20 tion related to cost-effective and affordable con-
21 struction techniques, loss estimation and risk
22 assessment methodologies, and other pertinent
23 information regarding windstorm phenomena to
24 Federal, State, and local officials, the construc-
25 tion industry, and the general public.

1 (e) IMPLEMENTATION PLAN.—Not later than 1 year
2 after date of enactment of this Act, the Interagency Work-
3 ing Group shall develop and transmit to the Congress an
4 implementation plan for achieving the objectives of the
5 Program. The plan shall include—

6 (1) an assessment of past and current public
7 and private efforts to reduce windstorm impacts, in-
8 cluding a comprehensive review and analysis of
9 windstorm mitigation activities supported by the
10 Federal Government;

11 (2) a statement of strategic goals and priorities
12 for each Program component area;

13 (3) a description of how the Program will
14 achieve such goals, including detailed responsibilities
15 for each agency; and

16 (4) a description of plans for cooperation and
17 coordination with interested public and private sec-
18 tor entities in each program component area.

19 (f) BIENNIAL REPORT.—The Interagency Working
20 Group shall, on a biennial basis, transmit a report to the
21 Congress describing the status of the windstorm impact
22 reduction program, including progress achieved during the
23 preceding two fiscal years. Each such report shall include
24 any recommendations for legislative and other action the
25 Interagency Working Group considers necessary and ap-

1 appropriate. In developing the biennial report, the Inter-
2 agency Working Group shall consider the recommenda-
3 tions of the Advisory Committee established under section
4 5.

5 **SEC. 5. NATIONAL ADVISORY COMMITTEE ON WINDSTORM**
6 **IMPACT REDUCTION.**

7 (a) ESTABLISHMENT.—The Director shall establish a
8 National Advisory Committee on Windstorm Impact Re-
9 duction, consisting of not less than 11 and not more than
10 15 non-Federal members representing a broad cross sec-
11 tion of interests such as the research, technology transfer,
12 design and construction, and financial communities; mate-
13 rials and systems suppliers; State, county, and local gov-
14 ernments; the insurance industry; and other representa-
15 tives as designated by the Director.

16 (b) ASSESSMENT.—The Advisory Committee shall as-
17 sess—

18 (1) trends and developments in the science and
19 engineering of windstorm impact reduction;

20 (2) the effectiveness of the Program in carrying
21 out the activities under section 3(d);

22 (3) the need to revise the Program; and

23 (4) the management, coordination, implementa-
24 tion, and activities of the Program.

1 (c) BIENNIAL REPORT.—At least once every two
2 years, the Advisory Committee shall report to Congress
3 and the Interagency Working Group on the assessment
4 carried out under subsection (b).

5 (d) SUNSET EXEMPTION.—Section 14 of the Federal
6 Advisory Committee Act shall not apply to the Advisory
7 Committee established under this section.

8 **SEC. 6. SAVINGS CLAUSE.**

9 Nothing in this Act supersedes any provision of the
10 National Manufactured Housing Construction and Safety
11 Standards Act of 1974. No design, construction method,
12 practice, technology, material, mitigation methodology, or
13 hazard reduction measure of any kind developed under
14 this Act shall be required for a home certified under sec-
15 tion 616 of the National Manufactured Housing Construc-
16 tion and Safety Standards Act of 1974 (42 U.S.C. 5415),
17 pursuant to standards issued under such Act, without
18 being subject to the consensus development process and
19 rulemaking procedures of that Act.

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) FEDERAL EMERGENCY MANAGEMENT AGEN-
22 CY.—From sums otherwise authorized to be appropriated,
23 there are authorized to be appropriated to the Federal
24 Emergency Management Agency for carrying out this
25 Act—

- 1 (1) \$8,000,000 for fiscal year 2005;
2 (2) \$8,700,000 for fiscal year 2006; and
3 (3) \$9,400,000 for fiscal year 2007.

4 (b) NATIONAL SCIENCE FOUNDATION.—From sums
5 otherwise authorized to be appropriated, there are author-
6 ized to be appropriated to the National Science Founda-
7 tion for carrying out this Act—

- 8 (1) \$8,000,000 for fiscal year 2005;
9 (2) \$8,700,000 for fiscal year 2006; and
10 (3) \$9,400,000 for fiscal year 2007.

11 (c) NATIONAL INSTITUTE OF STANDARDS AND
12 TECHNOLOGY.—From sums otherwise authorized to be
13 appropriated, there are authorized to be appropriated to
14 the National Institute of Standards and Technology for
15 carrying out this Act—

- 16 (1) \$2,000,000 for fiscal year 2005;
17 (2) \$3,000,000 for fiscal year 2006; and
18 (3) \$4,000,000 for fiscal year 2007.

19 (d) NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC
20 ADMINISTRATION.—From sums otherwise authorized to
21 be appropriated, there are authorized to be appropriated
22 to the National Oceanic and Atmospheric Administration
23 for carrying out this Act—

- 24 (1) \$2,000,000 for fiscal year 2005;
25 (2) \$2,100,000 for fiscal year 2006; and

1 (3) \$2,200,000 for fiscal year 2007.

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