119TH CONGRESS
1ST SESSION

S. _____

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to require the President to provide assistance for predisaster hazard mitigation measures and adjust the Federal cost share for certain building resilient infrastructure and communities projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. REED (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to require the President to provide assistance for predisaster hazard mitigation measures and adjust the Federal cost share for certain building resilient infrastructure and communities projects, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Building Resilience and Stronger Communities Act''.

SEC. 2. FEDERAL SHARE ADJUSTMENT.

Section 203(h) of the Robert. T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(h)) is amended by adding at the end the following:

''(3) SMALL PROJECTS.—Notwithstanding paragraph (1), the President shall contribute not less than 90 percent of the total cost of a mitigation activity, the cost of which is less than $1,000,000.

''(4) CRITICAL FACILITIES.—

''(A) DEFINITION.—In this paragraph, the term 'critical facility'—

''(i) means a building that is essential for the delivery of a vital service or the protection of a community; and

''(ii) includes an emergency operation center, a healthcare facility, a police or fire stations, a school, and a power station.

''(B) COST SHARE ADJUSTMENT.—Notwithstanding paragraph (1), the President may contribute more than 90 percent of the total cost of a mitigation activity involving a critical facility, the cost of which is less than $1,000,000.''.

SEC. 3. MANDATORY MITIGATION.

Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (b) by striking ''may'' and inserting ''shall''; and

(2) in subsection (c) by striking ''may'' and inserting ''shall''.

SEC. 4. NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER MITIGATION ASSISTANCE.

Section 203(i)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(i)(1) is amended—

(1) by striking ''may'' and inserting ''shall''; and

(2) by striking ''equal to'' and inserting ''that is not less than 3 percent and not more than''.

SEC. 5. TRIBAL PROVISIONS.

Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (b)—

(A) by inserting ''and Indian Tribes'' after ''States and local governments''; and

(B) by inserting ''or Indian Tribes'' after ''States or local governments'';

(2) in subsection (c), by inserting ''or Indian Tribe'' after ''State or local government'' each place it appears;

(3) in subsection (d)—

(A) by inserting ''or Indian Tribes'' after ''local governments'' each place it appears; and

(B) in paragraph (2)—

(i) by inserting ''or an Indian Tribe'' after ''a local government''; and

(ii) by adding at the end the following:

''(C) INDIAN TRIBES.—An Indian Tribe shall have access to assistance under this section either through the President selecting the Indian Tribe directly, by a Governor or a State submitting a recommendation for the Indian Tribe, or through a Tribal-set aside of funds set by the President or based on the Governor or State recommendation.'';

(4) in subsection (e)—

(A) in paragraph (1)(A), by inserting ''and Indian Tribes'' after ''States and local governments'';

(B) in paragraph (2), by inserting ''or Indian Tribe'' after ''State or local government'' each place it appears; and

(C) by adding at the end the following:

''(3) USES BY INDIAN TRIBES.—Technical and financial assistance provided under this section to an Indian Tribe shall be used for Direct Technical Assistance to help the Indian Tribe improve resilience to natural hazards, build strong mitigation programs, develop high-quality applications, and carry out innovative mitigation projects.'';

(5) by adding at the end the following:

''(m) INDIAN TRIBE DEFINED.—In this section, the term 'Indian Tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).''.