

In the Senate of the United States,

December 14, 2022.

Resolved, That the bill from the House of Representatives (H.R. 1917) entitled “An Act to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Hazard Eligibility and*
3 *Local Projects Act”.*

4 ***SEC. 2. AUTHORITY TO BEGIN IMPLEMENTATION OF ACQUI-***
5 ***SITION AND DEMOLITION ASSISTANCE***
6 ***PROJECTS.***

7 *(a) DEFINITIONS.—In this section:*

8 *(1) ADMINISTRATOR.—The term “Adminis-*
9 *trator” means the Administrator of the Federal*
10 *Emergency Management Agency.*

1 (2) *COVERED PROJECT.*—The term “covered
2 project” means a project that—

3 (A) is an acquisition and demolition project
4 for which an entity began implementation, in-
5 cluding planning or construction, before or after
6 requesting assistance for the project under a haz-
7 ard mitigation assistance program; and

8 (B) qualifies for a categorical exclusion
9 under the National Environmental Policy Act of
10 1969 (42 U.S.C. 4321 et seq.).

11 (3) *HAZARD MITIGATION ASSISTANCE PRO-*
12 *GRAM.*—The term “hazard mitigation assistance pro-
13 gram” means—

14 (A) any grant program authorized under
15 section 203 of the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C.
17 5133);

18 (B) the hazard mitigation grant program
19 authorized under section 404 of the Robert T.
20 Stafford Disaster Relief and Emergency Assist-
21 ance Act (42 U.S.C. 5170c); and

22 (C) the flood mitigation assistance program
23 authorized under section 1366 of the National
24 Flood Insurance Act of 1968 (42 U.S.C. 4104c).

1 (b) *ELIGIBILITY FOR ASSISTANCE FOR COVERED*
2 *PROJECTS.*—

3 (1) *IN GENERAL.*—*An entity seeking assistance*
4 *under a hazard mitigation assistance program may*
5 *be eligible to receive that assistance for a covered*
6 *project if—*

7 (A) *the entity—*

8 (i) *complies with all other eligibility*
9 *requirements of the hazard mitigation as-*
10 *sistance program for acquisition or demoli-*
11 *tion projects, including extinguishing all in-*
12 *compatible encumbrances; and*

13 (ii) *complies with all Federal require-*
14 *ments for the covered project; and*

15 (B) *the Administrator determines that the*
16 *covered project—*

17 (i) *qualifies for a categorical exclusion*
18 *under the National Environmental Policy*
19 *Act of 1969 (42 U.S.C. 4321 et seq.);*

20 (ii) *is compliant with applicable flood-*
21 *plain management and protection of wet-*
22 *land regulations and criteria; and*

23 (iii) *does not require consultation*
24 *under any other environmental or historic*

1 *preservation law or regulation or involve*
2 *any extraordinary circumstances.*

3 (2) *COSTS INCURRED.*—*An entity seeking assist-*
4 *ance under a hazard mitigation assistance program*
5 *shall be responsible for any project costs incurred by*
6 *the entity for a covered project if the covered project*
7 *is not awarded, or is determined to be ineligible for,*
8 *assistance.*

9 (c) *APPLICABILITY.*—*This Act shall apply to covered*
10 *projects started on or after the date of enactment of this*
11 *Act.*

12 (d) *REPORT.*—*Not later than 180 days after the date*
13 *of enactment of this Act, and annually thereafter for 3*
14 *years, the Administrator shall submit to Congress a report*
15 *on use of the authority under this Act, including—*

16 (1) *how many applicants used the authority;*

17 (2) *how many applicants using the authority*
18 *successfully obtained a grant;*

19 (3) *how many applicants were not able to suc-*
20 *cessfully obtain a grant;*

21 (4) *the reasons applicants were not able to ob-*
22 *tain a grant; and*

23 (5) *the extent to which applicants using the au-*
24 *thority were able to comply with all necessary Federal*

1 *environmental, historic preservation, and other re-*
2 *lated laws and regulations.*

3 *(e) TERMINATION.—The authority provided under this*
4 *Act shall cease to be effective on the date that is 3 years*
5 *after the date of enactment of this Act.*

Attest:

Secretary.

117TH CONGRESS
2^D SESSION

H.R. 1917

AMENDMENT