

111TH CONGRESS  
1ST SESSION

# H. R. 2627

To reauthorize the National Windstorm Impact Reduction Program, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Mr. MOORE of Kansas (for himself, Mr. MARIO DIAZ-BALART of Florida, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, and Mr. LINCOLN DIAZ-BALART of Florida) introduced the following bill; which was referred to the Committee on Science and Technology, 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

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## A BILL

To reauthorize the National Windstorm Impact 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 Windstorm  
5       Impact Reduction Reauthorization Act of 2009”.

1 **SEC. 2. FINDINGS.**

2 Section 202 of the National Windstorm Impact Re-  
3 duction Act of 2004 (42 U.S.C. 15701) is amended—

4 (1) by redesignating paragraphs (3) and (4) as  
5 paragraphs (4) and (5), respectively;

6 (2) by inserting after paragraph (2) the fol-  
7 lowing:

8 “(3) Global climate variability and climate  
9 change may alter the frequency and intensity of se-  
10 vere windstorm events, but further research is need-  
11 ed to identify any such linkages and, if appropriate,  
12 to incorporate climate-related impacts into wind-  
13 storm risk and vulnerability assessments and mitiga-  
14 tion activities.”; and

15 (3) in paragraph (5), as so redesignated, by  
16 striking “interagency coordination” and inserting  
17 “coordination among Federal agencies and with  
18 State, tribal, and local governments”.

19 **SEC. 3. DEFINITIONS.**

20 (a) DIRECTOR.—Section 203(1) of the National  
21 Windstorm Impact Reduction Act of 2004 (42 U.S.C.  
22 15702(1)) is amended by striking “Office of Science and  
23 Technology Policy” and inserting “National Institute of  
24 Standards and Technology”.

25 (b) INTERAGENCY WORKING GROUP.—Section 203  
26 of such Act (42 U.S.C. 15702) is amended—

1 (1) by redesignating paragraphs (2) through  
 2 (4) as paragraphs (3) through (5), respectively; and  
 3 (2) by inserting after paragraph (1) the fol-  
 4 lowing:

5 “(2) INTERAGENCY WORKING GROUP.—The  
 6 term ‘Interagency Working Group’ means the Inter-  
 7 agency Working Group on Wind Impact Reduction  
 8 established pursuant to section 204(f).”.

9 **SEC. 4. NATIONAL WINDSTORM IMPACT REDUCTION PRO-**  
 10 **GRAM.**

11 (a) LEAD FEDERAL AGENCY.—Section 204 of the  
 12 National Windstorm Impact Reduction Act of 2004 (42  
 13 U.S.C. 15703) is amended—

14 (1) by striking subsection (c);

15 (2) by redesignating subsection (d) as sub-  
 16 section (c); and

17 (3) by inserting after subsection (c), as so re-  
 18 designated, the following:

19 “(d) LEAD FEDERAL AGENCY.—The National Insti-  
 20 tute of Standards and Technology shall be the lead Fed-  
 21 eral agency for planning, management, and coordination  
 22 of the Program. In carrying out this subsection, the Direc-  
 23 tor shall—

24 “(1) establish a Program Office, which shall be  
 25 under the direction of a full-time Program Director,

1 to provide the planning, management, and coordina-  
2 tion functions described in subsection (e);

3 “(2) in conjunction with other Program agen-  
4 cies, including the Office of Management and Budg-  
5 et, facilitate the preparation of a coordinated annual  
6 crosscut budget and report for the Program,  
7 which—

8 “(A) shall be submitted by the Director of  
9 the Office of Management and Budget to the  
10 Committee on Appropriations and the Com-  
11 mittee on Science and Technology of the House  
12 of Representatives and the Committee on Ap-  
13 propriations and the Committee on Commerce,  
14 Science, and Transportation of the Senate with-  
15 in 30 days after the submission of the Presi-  
16 dent’s annual budget request;

17 “(B) shall document the allocation and ex-  
18 penditure of funds by each Program agency to  
19 implement the responsibilities outlined in this  
20 section in the prior fiscal year, current fiscal  
21 year, and in the fiscal year for which the Presi-  
22 dent has submitted the budget request;

23 “(C) shall, for each Program agency, iden-  
24 tify the major activities that were undertaken  
25 with such funds to address the research areas

1 specified in subsection (g) during the previous  
2 fiscal year; and

3 “(D) shall, for each Program agency, sum-  
4 marize the progress made during the previous  
5 fiscal year toward the achievement of the stra-  
6 tegic goals and objectives included in the Pro-  
7 gram’s strategic plan;

8 “(3) facilitate the preparation of the Inter-  
9 agency Working Group’s biennial report to Congress  
10 and the National Science and Technology Council  
11 under subsection (j);

12 “(4) support research and development to im-  
13 prove building codes, standards, and practices for  
14 design and construction of buildings and other struc-  
15 tures, and lifelines;

16 “(5) in conjunction with the Federal Emer-  
17 gency Management Agency, work closely with na-  
18 tional standards and model building code organiza-  
19 tions to promote the implementation of research re-  
20 sults;

21 “(6) in partnership with other Federal agencies,  
22 State, tribal, and local governments, academia, and  
23 the private sector, support—

24 “(A) the organization and deployment of  
25 comprehensive, discipline-oriented interagency

1 teams to investigate major windstorm events;  
2 and

3 “(B) the gathering, publishing, and  
4 archiving of collected data and analysis results;  
5 and

6 “(7) participate in, coordinate, or support, as  
7 needed, other Program mitigation activities author-  
8 ized under subsection (c).”.

9 (b) PROGRAM OFFICE DUTIES.—Section 204 of such  
10 Act (42 U.S.C. 15703) is further amended—

11 (1) by striking subsections (e) and (f); and

12 (2) by inserting after subsection (d), as added  
13 by subsection (a)(3) of this Act, the following:

14 “(e) PROGRAM OFFICE.—The Program Office, estab-  
15 lished under subsection (d)(1), shall—

16 “(1) ensure that all statutory requirements, in-  
17 cluding reporting requirements, are met in accord-  
18 ance with this Act;

19 “(2) ensure coordination and synergy across the  
20 Program agencies in meeting the strategic goals and  
21 objectives of the Program;

22 “(3) implement an outreach program to identify  
23 and build effective partnerships with stakeholders in  
24 the construction and insurance industries, Federal,  
25 State, tribal, and local governments, academic and

1 research institutions, and non-governmental entities,  
2 such as standards, codes, and technical organiza-  
3 tions;

4 “(4) conduct studies on cross-cutting planning  
5 issues, particularly those that are significant for the  
6 development and updating of the strategic plan re-  
7 quired under subsection (i); and

8 “(5) conduct analysis and evaluation studies to  
9 measure the progress and results achieved in meet-  
10 ing the strategic goals and objectives of the Pro-  
11 gram.”.

12 (c) INTERAGENCY WORKING GROUP.—Section 204 of  
13 such Act (42 U.S.C. 15703) is further amended by insert-  
14 ing after subsection (e), as added by subsection (b)(2) of  
15 this Act, the following:

16 “(f) INTERAGENCY WORKING GROUP.—

17 “(1) IN GENERAL.—There is established an  
18 Interagency Working Group on Wind Impact Reduc-  
19 tion, which shall report to the Director.

20 “(2) PURPOSE.—The primary purpose of the  
21 Interagency Working Group is to coordinate activi-  
22 ties and facilitate better communication among the  
23 Program agencies in reducing the impacts of wind-  
24 storms.

1           “(3) DUTIES.—The Interagency Working  
2       Group shall—

3           “(A) facilitate Program planning, analysis,  
4       and evaluation;

5           “(B) facilitate coordination and synergy  
6       across the Program agencies in meeting the  
7       strategic goals and objectives of the Program;

8           “(C) prepare the coordinated interagency  
9       budget for the Program;

10          “(D) prepare the interim working plan re-  
11       quired under subsection (h);

12          “(E) prepare the strategic plan with stake-  
13       holder input required under subsection (i);

14          “(F) prepare the biennial report to Con-  
15       gress and the National Science and Technology  
16       Council required under subsection (j);

17          “(G) work with State, tribal, and local gov-  
18       ernments, non-governmental organizations, in-  
19       dustry, academia, and research institutions, as  
20       appropriate; and

21          “(H) in partnership with State, tribal, and  
22       local governments, academia, and the private  
23       sector, facilitate—

24               “(i) the organization and deployment  
25               of comprehensive discipline-oriented inter-

1 agency teams to investigate major wind-  
2 storm events; and

3 “(ii) the gathering, publishing, and  
4 archiving of collected data and analysis re-  
5 sults.

6 “(4) MEMBERSHIP.—The Interagency Working  
7 Group shall be comprised of 1 representative from—

8 “(A) the National Institute of Standards  
9 and Technology;

10 “(B) the National Science Foundation;

11 “(C) the National Oceanic and Atmos-  
12 pheric Administration;

13 “(D) the Federal Emergency Management  
14 Agency;

15 “(E) the Department of Transportation;

16 “(F) the National Aeronautics and Space  
17 Administration;

18 “(G) the United States Army Corps of En-  
19 gineers;

20 “(H) the Office of Science and Technology  
21 Policy; and

22 “(I) the Office of Management and Budg-  
23 et.

1           “(5) CHAIR.—The Program Director referred  
2           to in subsection (d)(1) shall chair the Interagency  
3           Working Group.

4           “(6) DUTIES OF THE CHAIR.—The Chair  
5           shall—

6                   “(A) convene at least 4 Interagency Work-  
7                   ing Group meetings per year, the first of which  
8                   shall be convened not later than 90 days after  
9                   the date of the enactment of the National  
10                  Windstorm Impact Reduction Reauthorization  
11                  Act of 2009;

12                   “(B) ensure the timely submission of the  
13                   Interagency Working Group’s biennial report to  
14                   Congress and the National Science and Tech-  
15                   nology Council required under subsection (j);  
16                   and

17                   “(C) carry out such other duties as nec-  
18                   essary to carry out this Act.”.

19           (d) PROGRAM AGENCIES.—Section 204 of such Act  
20           (42 U.S.C. 15703) is further amended by inserting after  
21           subsection (f), as added by subsection (c) of this Act, the  
22           following new subsection:

23           “(g) PROGRAM AGENCIES.—

24                   “(1) NATIONAL SCIENCE FOUNDATION.—The  
25                  National Science Foundation shall support research

1 in engineering and the atmospheric sciences to im-  
2 prove the understanding of the behavior of wind-  
3 storms and the impact of windstorms on buildings,  
4 structures, and lifelines.

5 “(2) NATIONAL OCEANIC AND ATMOSPHERIC  
6 ADMINISTRATION.—The National Oceanic and At-  
7 mospheric Administration shall support atmospheric  
8 sciences research to improve the understanding of  
9 the behavior of windstorms and the impact of wind-  
10 storms on buildings, structures, and lifelines through  
11 wind observations, modeling, and analysis.

12 “(3) FEDERAL EMERGENCY MANAGEMENT  
13 AGENCY.—The Federal Emergency Management  
14 Agency shall support—

15 “(A) the development of risk assessment  
16 tools, effective mitigation techniques, and re-  
17 lated guidance documents and products;

18 “(B) windstorm-related data collection and  
19 analysis;

20 “(C) evacuation planning;

21 “(D) public outreach and information dis-  
22 semination; and

23 “(E) the implementation of mitigation  
24 measures consistent with the Federal Emer-

1           agency Management Agency’s all-hazards ap-  
2           proach.

3           “(4) DEPARTMENT OF TRANSPORTATION.—The  
4           Department of Transportation shall—

5                   “(A) support windstorm-related data col-  
6                   lection and analysis aimed at understanding,  
7                   measuring, predicting, and reducing the effects  
8                   of windstorms, storm surge, and flooding on  
9                   transportation infrastructure, including bridges;

10                   “(B) assist in evacuation planning; and

11                   “(C) support the development of tools to  
12                   improve safety or reduce structure damage due  
13                   to windstorms.

14           “(5) NATIONAL AERONAUTICS AND SPACE AD-  
15           MINISTRATION.—The National Aeronautics and  
16           Space Administration shall support—

17                   “(A) research to improve understanding of  
18                   the regional and global behavior of windstorms;  
19                   and

20                   “(B) dissemination and utilization of ob-  
21                   servational data from existing satellites and  
22                   sensors, forecasts, and other analytical products  
23                   that can aid in reducing windstorm impacts.

1           “(6) UNITED STATES ARMY CORPS OF ENGI-  
2           NEERS.—The United States Army Corps of Engi-  
3           neers shall—

4                   “(A) support research to improve under-  
5                   standing of wind effects on storm surge and  
6                   other flooding; and

7                   “(B) support development of evacuation  
8                   plans and other activities or tools that will re-  
9                   duce the potential for loss of life or structure  
10                  damage as a result of windstorms.”.

11          (e) INTERIM WORKING PLAN; STRATEGIC PLAN.—  
12          Section 204 of such Act (42 U.S.C. 15703) is further  
13          amended by inserting after subsection (g), as added by  
14          subsection (d) of this Act, the following:

15          “(h) INTERIM WORKING PLAN.—

16                  “(1) IN GENERAL.—Not later than 6 months  
17                  after the date of enactment of this subsection, the  
18                  Interagency Working Group shall submit to Con-  
19                  gress an interim working plan that will guide the im-  
20                  plementation of Program operations until approval  
21                  of the strategic plan under subsection (i).

22                  “(2) SPECIFICATIONS.—In developing the in-  
23                  terim plan required under paragraph (1), the Inter-  
24                  agency Working Group shall consider the report en-  
25                  titled ‘Grand Challenges for Disaster Reduction’ and

1 the accompanying hazard-specific implementation  
2 plans published by the National Science and Tech-  
3 nology Council's Committee on Environment and  
4 Natural Resources Subcommittee on Disaster Re-  
5 duction.

6 “(i) STRATEGIC PLAN.—

7 “(1) IN GENERAL.—Not later than 18 months  
8 after the date of enactment of this subsection, the  
9 Interagency Working Group shall submit to Con-  
10 gress a strategic plan for achieving the objectives of  
11 the Program.

12 “(2) CONTENTS.—The strategic plan shall in-  
13 clude—

14 “(A) strategic goals and objectives for each  
15 Program component area to be achieved in the  
16 areas of data collection and analysis, risk as-  
17 sessment, outreach, technology transfer, and re-  
18 search and development;

19 “(B) an assessment of the strategic prior-  
20 ities required to fill critical gaps in knowledge  
21 and practice to ensure reduction in future wind-  
22 storm impacts based on a review of past and  
23 current public and private sector efforts, includ-  
24 ing windstorm mitigation activities supported  
25 by the Federal Government;

1 “(C) measurable outputs and outcomes to  
2 achieve the strategic goals and objectives;

3 “(D) a description of how the Program will  
4 achieve such goals and objectives including de-  
5 tailed responsibilities for each Program agency;  
6 and

7 “(E) plans for cooperation and coordina-  
8 tion with interested public and private sector  
9 entities in each Program component area.

10 “(3) INITIAL DEVELOPMENT.—The strategic  
11 plan—

12 “(A) shall be developed with stakeholder  
13 input; and

14 “(B) shall not be initially required to be  
15 reviewed by the National Advisory Committee  
16 on Windstorm Impact Reduction.

17 “(4) REGULAR UPDATES.—Not less frequently  
18 than once every 5 years, the strategic plan—

19 “(A) shall be updated with stakeholder  
20 input; and

21 “(B) shall be reviewed by the National Ad-  
22 visory Committee on Windstorm Impact Reduc-  
23 tion.”.

24 (f) BIENNIAL REPORT.—Section 204 of such Act (42  
25 U.S.C. 15703) is further amended by inserting after sub-

1 section (i), as added by subsection (e) of this Act, the fol-  
 2 lowing:

3 “(j) BIENNIAL REPORT.—The Interagency Working  
 4 Group, on a biennial basis, and not later than 90 days  
 5 after the end of the preceding 2 fiscal years, shall—

6 “(1) after considering the recommendations of  
 7 the advisory committee established under section  
 8 205, prepare a biennial report that describes the sta-  
 9 tus of the Program, including—

10 “(A) Program activities and progress  
 11 achieved during the preceding 2 fiscal years in  
 12 meeting goals established for each Program  
 13 component under subsection (c);

14 “(B) challenges and impediments to the  
 15 fulfillment of the Program’s objectives; and

16 “(C) any recommendations for legislative  
 17 and other action the Interagency Working  
 18 Group considers necessary and appropriate; and

19 “(2) submit the report prepared under para-  
 20 graph (1) to Congress and the National Science and  
 21 Technology Council.”.

22 **SEC. 5. NATIONAL ADVISORY COMMITTEE ON WINDSTORM**  
 23 **IMPACT REDUCTION.**

24 (a) IN GENERAL.—Section 205(a) of the National  
 25 Windstorm Impact Reduction Act of 2004 (42 U.S.C.

1 15704(a)) is amended by striking “The Director”, and in-  
 2 serting “Not later than 6 months after the date of the  
 3 enactment of the National Windstorm Impact Reduction  
 4 Reauthorization Act of 2008, the Director”.

5 (b) CONFORMING AMENDMENT.—Section 205(b)(2)  
 6 of such Act (42 U.S.C. 15704(b)(2)) is amended by strik-  
 7 ing “section 204(d)” and inserting “section 204(c)”.

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9 Section 207 of the National Windstorm Impact Re-  
 10 duction Act of 2004 (42 U.S.C. 15706) is amended to  
 11 read as follows:

12 **“SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) IN GENERAL.—There are authorized to be ap-  
 14 propriated \$30,000,000 for each of the fiscal years 2010  
 15 through 2014 to carry out this title, of which not greater  
 16 than—

17 “(1) \$5,000,000 shall be allocated for the Na-  
 18 tional Institute of Standards and Technology;

19 “(2) \$9,400,000 shall be allocated for the Na-  
 20 tional Science Foundation;

21 “(3) \$2,200,000 shall be allocated for the Na-  
 22 tional Oceanic and Atmospheric Administration;

23 “(4) \$9,400,000 shall be allocated for the Fed-  
 24 eral Emergency Management Agency;

1           “(5) \$1,333,333 shall be allocated for the De-  
2       partment of Transportation;

3           “(6) \$1,333,333 shall be allocated for the Na-  
4       tional Aeronautics and Space Administration; and

5           “(7) \$1,333,333 shall be allocated for the  
6       United States Army Corps of Engineers.

7       “(b) AUTHORIZATION FOR PROGRAM PLANNING,  
8       MANAGEMENT, AND COORDINATION.—

9           “(1) LEAD AGENCY.—From the amounts appro-  
10      priated for the National Institute of Standards and  
11      Technology pursuant to subsection (a)(1), up to  
12      \$1,000,000 per fiscal year may be allocated for car-  
13      rying out the lead agency planning, management,  
14      and coordination functions assigned to the National  
15      Institute of Standards and Technology under section  
16      204(d).

17          “(2) OTHER PROGRAM AGENCIES.—From the  
18      amounts appropriated to each of the Program agen-  
19      cies under paragraphs (2) through (7) of subsection  
20      (a), not greater than 8 percent may be allocated to  
21      each such agency for carrying out planning, manage-  
22      ment, and coordination functions assigned to such  
23      agency under this Act, including participation in the  
24      Interagency Working Group.

1       “(c) REMAINDER AUTHORIZED FOR PROGRAM AC-  
2   TIVITIES.—Any amounts appropriated pursuant to sub-  
3   section (a) that are not allocated under subsection (b)  
4   shall be allocated to Program activities carried out in ac-  
5   cordance with the objectives of the Program, including—  
6       “(1) data collection and analysis;  
7       “(2) risk assessment;  
8       “(3) outreach;  
9       “(4) technology transfer; and  
10       “(5) research and development.”.

○