

111TH CONGRESS
2D SESSION

H. R. 4852

To direct the Administrator of the Federal Emergency Management Agency to establish a grant program to improve the ability of trauma center hospitals and airports to withstand earthquakes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2010

Mr. COHEN (for himself, Mr. BERRY, Mrs. BLACKBURN, Mr. BLUMENAUER, Mr. CARNAHAN, Mr. CHANDLER, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. COOPER, Mr. DAVIS of Tennessee, Mr. DUNCAN, Mrs. EMERSON, Mr. GARAMENDI, Mr. GORDON of Tennessee, Mr. HARE, Mr. HINCHHEY, Ms. HIRONO, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. NORTON, Mr. ROE of Tennessee, Mr. ROSS, Mr. SABLON, Mr. SKELTON, Mr. SNYDER, Mr. TANNER, Mr. WHITFIELD, Ms. WOOLSEY, Mr. WU, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Emergency Management Agency to establish a grant program to improve the ability of trauma center hospitals and airports to withstand earthquakes, 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 “Critical Infrastructure
5 Earthquake Preparedness Act of 2010”.

1 **SEC. 2. GRANT PROGRAM TO ASSIST TRAUMA CENTER HOS-**
2 **PITALS AND AIRPORTS TO WITHSTAND**
3 **EARTHQUAKES.**

4 (a) ESTABLISHMENT.—Not later than 180 days after
5 the date of enactment of this Act, the Administrator of
6 the Federal Emergency Management Agency shall estab-
7 lish a program under which the Administrator is author-
8 ized to make grants to State and local governments to as-
9 sist projects that improve the ability to withstand an
10 earthquake of one or both of the following facilities:

11 (1) A trauma center hospital in a hazardous
12 seismic zone.

13 (2) An airport in a hazardous seismic zone.

14 (b) GRANT PRIORITIES.—In making a grant under
15 subsection (a), the Administrator shall consider, with re-
16 spect to a proposed project, the following:

17 (1) The vulnerability to an earthquake of the
18 facility to be improved.

19 (2) The size of the population served by the fa-
20 cility to be improved.

21 (3) The availability of similar facilities in the
22 area surrounding the facility to be improved.

23 (4) The ability to withstand an earthquake of
24 the facility to be improved, if the proposed project
25 is not carried out.

1 (5) The ability of the proposed project to be
2 carried out without Federal assistance.

3 (c) FEDERAL SHARE.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), the Federal share of the cost of a project
6 carried out using grant funds made available under
7 subsection (a) may not exceed 90 percent.

8 (2) EXCEPTION.—The Administrator may treat,
9 with respect to a project, the percentage specified in
10 paragraph (1) as 100 percent, if—

11 (A) the Administrator determines there is
12 substantial need for the project; and

13 (B) the Administrator determines that the
14 project will not otherwise be carried out.

15 (d) COMPREHENSIVE STRATEGIC RESPONSE
16 PLAN.—The Administrator shall require each State and
17 local government that receives a grant under subsection
18 (a), as a condition of the grant, to submit to the Adminis-
19 trator a comprehensive strategic earthquake response plan
20 for the facility with respect to which the grant was made.
21 Each State and local government may use not more than
22 5 percent of grant funds made available under subsection
23 (a) to meet the requirement of this subsection.

24 (e) REPORT ON USE OF GRANT FUNDS.—The Ad-
25 ministrator shall require each State and local government

1 that receives a grant under subsection (a), as a condition
2 of the grant, to submit to the Administrator each fiscal
3 year during which grant funds are received a report that—

4 (1) lists and describes the activities carried out
5 using grant funds; and

6 (2) describes and analyzes the impact of the ac-
7 tivities.

8 (f) DEFINITIONS.—In this section, the following defi-
9 nitions apply:

10 (1) AIRPORT.—The term “airport” has the
11 meaning given that term under section 47102(2) of
12 title 49, United States Code, except that the term is
13 limited to airports located in the United States.

14 (2) HAZARDOUS SEISMIC ZONE.—The term
15 “hazardous seismic zone” means an area determined
16 by the Administrator, in consultation with the Direc-
17 tor of the United States Geological Survey, to have
18 a high probability of experiencing a severe earth-
19 quake.

20 (3) TRAUMA CENTER HOSPITAL.—The term
21 “trauma center hospital” means a medical facility
22 determined by the Administrator, in consultation
23 with the Secretary of Health and Human Services,
24 to—

1 (A) provide surgical care to trauma pa-
2 tients;

3 (B) be located in the United States;

4 (C) be obligated to treat all patients with-
5 out regard to ability to pay; and

6 (D) provide care to more than 2,000 indi-
7 viduals admitted for shock trauma each year.

8 (g) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Administrator to
10 carry out this section such sums as may be necessary.

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