

117TH CONGRESS
1ST SESSION

S. 1236

To require the Secretary of Transportation to develop best practices for incorporating resilience into emergency relief projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 20, 2021

Ms. BALDWIN (for herself and Mr. BRAUN) introduced the following bill;
which was read twice and referred to the Committee on Environment and
Public Works

A BILL

To require the Secretary of Transportation to develop best practices for incorporating resilience into emergency relief projects, 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 “Rebuilding Stronger
5 Infrastructure Act”.

6 **SEC. 2. EMERGENCY RELIEF PROGRAM.**

7 (a) DEFINITIONS.—In this Act:

8 (1) EMERGENCY RELIEF PROJECT.—The term
9 “emergency relief project” means a project carried

1 out under the emergency relief program under sec-
2 tion 125 of title 23, United States Code.

3 (2) RESILIENCE.—

4 (A) IN GENERAL.—The term “resilience”
5 means, with respect to a facility, the ability—

6 (i) to anticipate, prepare for, or adapt
7 to conditions; or

8 (ii) to withstand, respond to, or re-
9 cover rapidly from disruptions.

10 (B) INCLUSIONS.—The term “resilience”
11 includes, with respect to a facility, the ability—

12 (i) to resist hazards or withstand im-
13 pacts from disruptions;

14 (ii) to reduce the magnitude, duration,
15 or impact of a disruption; or

16 (iii) to have the absorptive capacity,
17 adaptive capacity, and recoverability to de-
18 crease vulnerability to a disruption.

19 (3) SECRETARY.—The term “Secretary” means
20 the Secretary of Transportation.

21 (b) IMPROVING THE EMERGENCY RELIEF PRO-
22 GRAM.—Not later than 90 days after the date of enact-
23 ment of this Act, the Secretary shall—

24 (1) revise the emergency relief manual of the
25 Federal Highway Administration—

1 (A) to include and reflect the definition of
2 the term “resilience”;

3 (B) to identify procedures that States may
4 use to incorporate resilience into emergency re-
5 lief projects; and

6 (C) to encourage the use of Complete
7 Streets design principles and consideration of
8 access for moderate- and low-income families
9 impacted by a declared disaster;

10 (2) develop best practices for improving the use
11 of resilience in—

12 (A) the emergency relief program under
13 section 125 of title 23, United States Code; and

14 (B) emergency relief efforts;

15 (3) provide to division offices of the Federal
16 Highway Administration and State departments of
17 transportation information on the best practices de-
18 veloped under paragraph (2); and

19 (4) develop and implement a process to track—

20 (A) the consideration of resilience as part
21 of the emergency relief program under section
22 125 of title 23, United States Code; and

23 (B) the costs of emergency relief projects.

1 (c) COST LIMITATION.—Section 125(d) of title 23,
2 United States Code, is amended by striking paragraph (2)
3 and inserting the following:

4 “(2) COST LIMITATION.—The total cost of a
5 project funded under this section may not exceed the
6 cost of repair or reconstruction of a comparable fa-
7 cility unless the Secretary determines that the
8 project incorporates economically justified better-
9 ments, including protective features to increase the
10 resilience of the facility.”.

○