

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-360, title I, §101, Oct. 25, 2004, 118 Stat. 1668, provided that: "This title [amending sections 7703, 7704, and 7706 to 7708 of this title] may be cited as the 'National Earthquake Hazards Reduction Program Reauthorization Act of 2004'."

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-503, title II, §201, Nov. 13, 2000, 114 Stat. 2304, provided that: "This title [enacting sections 7707 to 7709 of this title, amending sections 7703, 7704, and 7706 of this title, repealing section 7705d of this title, enacting provisions set out as a note under this section, and amending provisions set out as a note under section 7704 of this title] may be cited as the 'Earthquake Hazards Reduction Authorization Act of 2000'."

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-614, §1, Nov. 16, 1990, 104 Stat. 3231, provided that: "This Act [enacting sections 7705a to 7705e, amending this section and sections 7702 to 7705, and 7706 of this title, and enacting provisions set out as notes under sections 7704, 7705b, and 7705e of this title] may be cited as the 'National Earthquake Hazards Reduction Program Reauthorization Act'."

SHORT TITLE

Pub. L. 95-124, §1, Oct. 7, 1977, 91 Stat. 1098, provided: "That this Act [enacting this chapter] may be cited as the 'Earthquake Hazards Reduction Act of 1977'."

DELEGATION OF FUNCTIONS

Functions of President under Earthquake Hazards Reduction Act of 1977 delegated, transferred, or reassigned to Secretary of Homeland Security pursuant to sections 1-104 and 4-204 of Ex. Ord. No. 12148, July 20, 1979, 44 F.R. 43239, as amended, set out as a note under section 5195 of this title.

REPORT ON AT-RISK POPULATIONS

Pub. L. 106-503, title II, §207, Nov. 13, 2000, 114 Stat. 2307, required the Director of the Federal Emergency Management Agency to transmit to Congress a report no later than 1 year after Nov. 13, 2000, describing the elements of the National Earthquake Hazards Reduction Program that specifically addressed the needs of at-risk populations.

§ 7702. Congressional statement of purpose

It is the purpose of the Congress in this chapter to reduce the risks of life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards reduction program. The objectives of such program shall include—

(1) the education of the public, including State and local officials, as to earthquake phenomena, the identification of locations and structures which are especially susceptible to earthquake damage, ways to reduce the adverse consequences of an earthquake, and related matters;

(2) the development of technologically and economically feasible design and construction methods and procedures to make new and existing structures, in areas of seismic risk, earthquake resistant, giving priority to the development of such methods and procedures for power generating plants, dams, hospitals, schools, public utilities and other lifelines, public safety structures, high occupancy buildings, and other structures which are especially needed in time of disaster;

(3) the implementation to the greatest extent practicable, in all areas of high or mod-

erate seismic risk, of a system (including personnel, technology, and procedures) for predicting damaging earthquakes and for identifying, evaluating, and accurately characterizing seismic hazards;

(4) the development, publication, and promotion, in conjunction with State and local officials and professional organizations, of model building codes and other means to encourage consideration of information about seismic risk in making decisions about land-use policy and construction activity;

(5) the development, in areas of seismic risk, of improved understanding of, and capability with respect to, earthquake-related issues, including methods of mitigating the risks from earthquakes, planning to prevent such risks, disseminating warnings of earthquakes, organization emergency services, and planning for reconstruction and redevelopment after an earthquake;

(6) the development of ways to increase the use of existing scientific and engineering knowledge to mitigate earthquake hazards; and

(7) the development of ways to assure the availability of affordable earthquake insurance.

(Pub. L. 95-124, §3, Oct. 7, 1977, 91 Stat. 1099; Pub. L. 101-614, §3, Nov. 16, 1990, 104 Stat. 3231.)

AMENDMENTS

1990—Pub. L. 101-614 inserted sentence at end, listing objectives of program.

§ 7703. Definitions

As used in this chapter, unless the context otherwise requires:

(1) The term "includes" and variants thereof should be read as if the phrase "but is not limited to" were also set forth.

(2) The term "Program" means the National Earthquake Hazards Reduction Program established under section 7704 of this title.

(3) The term "seismic" and variants thereof mean having to do with, or caused by earthquakes.

(4) The term "State" means each of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Mariana Islands, and any other territory or possession of the United States.

(5) The term "United States" means, when used in a geographical sense, all of the States as defined in paragraph (4) of this section.

(6) The term "lifelines" means public works and utilities, including transportation facilities and infrastructure, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.

(7) The term "Program agencies" means the Federal Emergency Management Agency, the United States Geological Survey, the National Science Foundation, and the National Institute of Standards and Technology.

(8) The term "Interagency Coordinating Committee" means the Interagency Coordi-

nating Committee on Earthquake Hazards Reduction established under section 7704(a) of this title.

(9) The term “Advisory Committee” means the Advisory Committee established under section 7704(a)(5) of this title.

(Pub. L. 95-124, § 4, Oct. 7, 1977, 91 Stat. 1099; Pub. L. 101-614, § 4, Nov. 16, 1990, 104 Stat. 3232; Pub. L. 106-503, title II, § 209, Nov. 13, 2000, 114 Stat. 2308; Pub. L. 108-360, title I, § 102, Oct. 25, 2004, 118 Stat. 1668.)

AMENDMENTS

2004—Pars. (8), (9). Pub. L. 108-360 added pars. (8) and (9).

2000—Par. (6). Pub. L. 106-503 inserted “and infrastructure” after “communication facilities”.

1990—Par. (2). Pub. L. 101-614, § 4(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The term ‘program’ means the earthquake hazards reduction program established under section 7704 of this title.”

Pars. (6), (7). Pub. L. 101-614, § 4(2), added pars. (6) and (7).

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 7704. National Earthquake Hazards Reduction Program

(a) Establishment

(1) In general

There is established the National Earthquake Hazards Reduction Program.

(2) Program activities

The activities of the Program shall be designed to—

(A) develop effective measures for earthquake hazards reduction;

(B) promote the adoption of earthquake hazards reduction measures by Federal, State, and local governments, national standards and model code organizations, architects and engineers, building owners, and others with a role in planning and constructing buildings, structures, and lifelines through—

(i) grants, contracts, cooperative agreements, and technical assistance;

(ii) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines;

(iii) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction; and

(C) improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines, through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decision sciences; and

(D) develop, operate, and maintain an Advanced National Seismic Research and Monitoring System established under section 7707 of this title, the George E. Brown, Jr. Network for Earthquake Engineering Simulation established under section 7708 of this title, and the Global Seismographic Network.

(3) Interagency Coordinating Committee on Earthquake Hazards Reduction

(A) In general

There is established an Interagency Coordinating Committee on Earthquake Hazards Reduction chaired by the Director of the National Institute of Standards and Technology (referred to in this subsection as the “Director”).

(B) Membership

The committee shall be composed of the directors of—

(i) the Federal Emergency Management Agency;

(ii) the United States Geological Survey;

(iii) the National Science Foundation;

(iv) the Office of Science and Technology Policy; and

(v) the Office of Management and Budget.

(C) Meetings

The Committee shall meet not less than 3 times a year at the call of the Director.

(D) Purpose and duties

The Interagency Coordinating Committee shall oversee the planning, management, and coordination of the Program. The Interagency Coordinating Committee shall—

(i) develop, not later than 6 months after October 25, 2004, and update periodically—

(I) a strategic plan that establishes goals and priorities for the Program activities described under subsection (a)(2) of this section; and

(II) a detailed management plan to implement such strategic plan; and

(ii) develop a coordinated interagency budget for the Program that will ensure appropriate balance among the Program activities described under subsection (a)(2) of this section, and, in accordance with the plans developed under clause (i), submit such budget to the Director of the Office of Management and Budget at the time designated by that office for agencies to submit annual budgets.

(4) Annual report

The Interagency Coordinating Committee shall transmit, at the time of the President’s budget request to Congress, an annual report to the Committee on Science and the Committee on Resources of the House of Representatives, and the Committee on Commerce,