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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of the Interior to establish a grant program to assist primarily low-income individuals in making their homes and property more resilient to the impacts of climate change, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MULLIN introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of the Interior to establish a grant program to assist primarily low-income individuals in making their homes and property more resilient to the impacts of climate change, 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 “Weatherization Resil-
5 ience and Adaptation Program Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Human accelerated climate change is caus-
4 ing significant shifts in global surface and atmos-
5 pheric temperatures, accelerating the frequency of
6 extreme weather events around the globe.

7 (2) Extreme weather events create environ-
8 mental hazards such as excessive flooding, fire, heat,
9 wind, and drought that have catastrophic impacts on
10 frontline communities, who experience the worst and
11 most immediate impacts of our climate crisis and
12 often bear the brunt of such events seasonally, cre-
13 ating a cyclical pattern of disruption and destruc-
14 tion.

15 (3) Individuals can take steps to prevent and
16 mitigate the worst impacts of extreme weather
17 events on their home and property by implementing
18 resilience and adaptation best practices, but the cost
19 of these solutions puts them out of reach for many
20 households.

21 (4) Low-income homeowners and individuals
22 who reside in affordable housing disproportionately
23 live in areas that face the greatest threat from ex-
24 treme weather events, yet can least afford the
25 changes to their property to make them more resil-

1 ient to disasters and adapted to the changing cli-
2 mate.

3 **SEC. 3. DEFINITIONS.**

4 In this Act, the following definitions apply:

5 (1) CLIMATE CHANGE.—The term “climate
6 change” means long-term shifts in temperatures and
7 weather patterns.

8 (2) CLIMATE-DRIVEN HAZARDS.—The term
9 “climate-driven hazards” means hazards, such as
10 floods, wildfires, landslides, extreme heat, extreme
11 wind, and atmospheric rivers that have a human,
12 economic, and ecological impact with increased fre-
13 quency.

14 (3) DIRECTOR.—The term “Director” means
15 the Director of National Institute of Standards and
16 Technology.

17 (4) ELIGIBLE PROGRAM PARTICIPANT.—The
18 term “eligible program participant” means—

19 (A) a State;

20 (B) a federally recognized Indian Tribe;

21 and

22 (C) a Native Hawaiian organization.

23 (5) ELIGIBLE PROPERTY OWNERS.—The term
24 “eligible property owner” means—

25 (A) a low-income property owner;

1 (B) an owner of a property of which the
2 deed, ground lease, or a loan for the improve-
3 ment thereof has a restriction or covenant re-
4 lated to housing affordability which will not ex-
5 pire for at least 5 years following the receipt of
6 funds awarded under this Act;

7 (C) an owner of a multifamily dwelling
8 building where more than 50 percent of dwell-
9 ing units are occupied by residents whose rent
10 is subsidized under a covered housing program
11 listed in section 41411(a)(3) of the Violence
12 Against Women Act of 1994 (34 U.S.C.
13 12491(a)(3)); and

14 (D) an owner of a property used as a com-
15 munity of manufactured homes.

16 (6) LOW-INCOME.—The term “low-income”
17 means income in relation to family size that is at or
18 below 300 percent of the poverty level determined in
19 accordance with criteria established by the Director
20 of the Office of Management and Budget, except
21 that the Secretary may allow an eligible program
22 participant to use a higher level if, after receiving a
23 justification from such eligible program participant,
24 the Secretary determines that such a higher level is
25 necessary to carry out the purposes of this part and

1 is consistent with the eligibility criteria established
2 in this Act.

3 (7) MANUFACTURED HOME.—The term “manu-
4 factured home” has the meaning given that term
5 under section 603(6) of the Manufactured Housing
6 Construction and Safety Standards Act of 1974 (42
7 U.S.C. 5402(6)).

8 (8) NATURAL SOLUTIONS.—The term “natural
9 solutions” means ways of adapting or making prop-
10 erty more resilient to climate-driven hazards by
11 making changes that imitate naturally occurring eco-
12 logical functions that mitigate such hazards.

13 (9) RESILIENCE AND ADAPTATION STAND-
14 ARDS.—The term “resilience and adaptation stand-
15 ards” means a set of building, landscaping, and con-
16 struction guidelines for how property owners may
17 preemptively mitigate the impacts of extreme pre-
18 cipitation, flooding, wildfires, heat, and other haz-
19 ards attributable to global climate change in their
20 dwellings and surrounding non-dwelling property.

21 (10) SECRETARY.—The term “Secretary” re-
22 fers to the Secretary of the Interior.

23 (11) STATE.—The term “State” means—

24 (A) a State;

25 (B) the District of Columbia; and

1 (C) any territory or possession of the
2 United States.

3 **SEC. 4. GRANT PROGRAM.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary shall es-
6 tablish a grant program to award grants to eligible pro-
7 gram participants to assist eligible property owners with
8 dwelling and property adaptations to increase their ability
9 to withstand climate-driven hazards.

10 (b) APPLICATION.—Eligible program participants ap-
11 plying for a grant under this section shall—

12 (1) submit to the Secretary an application—

13 (A) at such time and in such manner as
14 the Secretary determines appropriate; and

15 (B) containing a description of—

16 (i) the eligible activities to be under-
17 taken with the grant funds;

18 (ii) how eligible program participants
19 will prioritize eligible property owners in
20 awarding funding based on factors that
21 take into account varying levels of disaster
22 risk and means;

23 (iii) how eligible property owners
24 awarded funding will be required to report
25 on their use of funds; and

1 (iv) other information, as the Sec-
2 retary determines appropriate; and

3 (2) if awarded funding under this Act, accept
4 and process applications for funding from eligible
5 property owners using an online system accessible on
6 a smartphone or personal electronic device in addi-
7 tion to accepting and processing applications
8 through a paper format.

9 (c) USE OF FUNDS.—

10 (1) ELIGIBLE PROGRAM PARTICIPANTS.—Eligi-
11 ble program participants—

12 (A) shall use funds awarded under this Act
13 to award grants to eligible property owners for
14 resilience and adaptation activities to mitigate
15 the impacts of climate change, including related
16 modifications needed to maintain the existing
17 accessibility of a property to individuals with
18 disabilities, as the Secretary may determine
19 after the consultation prescribed under section
20 5(a);

21 (B) shall be required to conduct outreach
22 to educate eligible property owners, regardless
23 of whether such property owners have received
24 funds awarded under this Act, about how they

1 can make structural improvements to their
2 homes and property;

3 (C) may use up to 15 percent of funds
4 awarded under this Act for expenses related to
5 administering such funds and for the outreach
6 required under subparagraph (B);

7 (D) shall not add additional eligibility re-
8 quirements that materially change who is eligi-
9 ble for funding under this Act or add proce-
10 dural burdens that limit property owners from
11 applying for, and receiving, funding according
12 to rules promulgated under section 5 of this
13 Act;

14 (E) shall only award grants for activities
15 related to buildings, assets, or land located in
16 areas where climate-driven hazards are more
17 likely to occur as a result of climate change;
18 and

19 (F) when awarding grants to the owner of
20 a multifamily building—

21 (i) may require financial participation
22 from such owner as a condition of award-
23 ing a grant for an activity with respect to
24 that multifamily building;

1 (ii) in the case of projects funded
2 under this Act that involve the displace-
3 ment of a resident from any occupied
4 housing unit, shall only award a grant on
5 the condition that such owner—

6 (I) provides, at the option of the
7 resident, a suitable and habitable
8 housing unit that is, with respect to
9 the housing unit from which the resi-
10 dent is displaced—

11 (aa) of a comparable size;

12 (bb) located in the same
13 local community or a community
14 with reduced hazard risk; and

15 (cc) offered under similar
16 costs, conditions, and terms; and

17 (II) ensures that resident dis-
18 placed are provided with the ability to
19 return to their former unit, or a com-
20 parable unit located in the same mul-
21 tifamily dwelling following the comple-
22 tion of the grant-funded project; and

23 (iii) shall only award a grant on the
24 condition that such owner refrains from—

1 (I) raising rent on dwelling units
2 in such multifamily building as a re-
3 sult of any improvements paid for by
4 funding awarded under this Act; and
5 (II) increasing rent on such
6 dwelling units for any reason for at
7 least 2 years unless specific rent in-
8 creases during those 2 years were
9 stipulated in agreements made prior
10 to the awarding of funding under this
11 Act to which such owner is a party.

12 (2) ELIGIBLE PROPERTY OWNERS.—Eligible
13 property owners shall use funds awarded under this
14 Act to—

15 (A) make changes to existing buildings or
16 other assets as necessary to meet the purpose
17 of the program established under this section;
18 and

19 (B) implement natural solutions to adapt
20 land to changing conditions.

21 **SEC. 5. RULEMAKING.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary shall pro-
24 mulgate rules to carry out this Act in consultation with—

1 (1) the Secretary of Housing and Urban Devel-
2 opment;

3 (2) the Secretary of Health and Human Serv-
4 ices;

5 (3) the Administrator of the Environmental
6 Protection Agency;

7 (4) the Administrator of the Federal Emer-
8 gency Management Agency; and

9 (5) the heads of such other Federal depart-
10 ments and agencies as the Secretary determines ap-
11 propriate.

12 (b) REQUIRED PROVISIONS.—The Secretary shall en-
13 sure that regulations promulgated pursuant to this section
14 include provisions that—

15 (1) in coordination with the Director, prescribe
16 resilience and adaptation standards;

17 (2) provide guidance to eligible program partici-
18 pants in the implementation of this Act;

19 (3) create audits and annual reporting require-
20 ments as may be necessary or appropriate to deter-
21 mine whether an eligible program participant has
22 carried out activities using grant funds—

23 (A) in a timely and effective manner; and

24 (B) in accordance with the requirements of
25 this Act and other applicable laws; and

1 (4) develop and make publicly available per-
2 formance targets for public review, which shall in-
3 clude spending thresholds for each year from the
4 date on which funds are obligated by the Secretary
5 to the grantee until such time all funds have been
6 expended.

7 **SEC. 6. STANDARDS.**

8 (a) PUBLICATION.—Not later than 1 year after the
9 date of the enactment of this Act, the Director shall de-
10 velop and publish on the National Institute of Standards
11 and Technology website resilience and adaptation stand-
12 ards, after consultation with—

13 (1) relevant Federal departments and agencies
14 as the Director determines appropriate; and

15 (2) private sector organizations as the Director
16 determines appropriate.

17 (b) REQUIREMENTS.—The resilience and adaptation
18 standards published under this section shall take into con-
19 sideration—

20 (1) the cost of building materials;

21 (2) fair labor standards;

22 (3) variation in impacts of climate change, geo-
23 graphical and topographical location, and pre-exist-
24 ing weatherization projects; and

25 (4) natural solutions.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this Act—

4 (1) to the Secretary, \$250,000,000 for each of
5 fiscal years 2024 through 2029; and

6 (2) to the Director, \$2,000,000 for each of fis-
7 cal years 2024 through 2026.