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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To authorize the Secretary of Housing and Urban Development to make grants to States and Indian tribes to support local resiliency offices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To authorize the Secretary of Housing and Urban Development to make grants to States and Indian tribes to support local resiliency offices, 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 “Championing Local
5 Efforts to Advance Resilience Act of 2021” or the
6 “CLEAR Act of 2021”.

1 **SEC. 2. RESILIENCY OFFICE GRANTS.**

2 (a) **AUTHORITY.**—The Secretary of Housing and
3 Urban Development, in consultation with the Adminis-
4 trator of the Federal Emergency Management Agency, the
5 Secretary of Commerce, and the Secretary of Interior,
6 may make grants under this section to States and Indian
7 tribes that are eligible for such grants pursuant to sub-
8 section (b) for use in accordance with subsection (c).

9 (b) **ELIGIBILITY.**—To be eligible for a grant under
10 this section, a State or Indian tribe shall establish and
11 maintain, or maintain, an office specifically responsible for
12 issues relating to resilience and that has among its duties
13 the following:

14 (1) To develop and update, not less frequently
15 than every 5 years, a resiliency framework, in con-
16 sultation with vulnerable and impacted communities,
17 that identifies current and projected risks and
18 vulnerabilities due to climate change and other chal-
19 lenges, in each of the areas of—

20 (A) environmental and natural hazards;

21 (B) the economy and workforce;

22 (C) infrastructure;

23 (D) health and social services; and

24 (E) housing.

1 (2) To implement programming to address risks
2 and vulnerabilities identified in the resiliency frame-
3 work, including—

4 (A) providing technical assistance to local
5 governments for the implementation of resil-
6 ience planning;

7 (B) assisting State or tribal agencies in the
8 implementation of resilience policies and proce-
9 dures;

10 (C) integrating resilience criteria into ex-
11 isting competitive grant funding administered
12 by such office or State agencies; and

13 (D) supporting long-term community pre-
14 disaster mitigation and recovery efforts and fa-
15 cilitating access to resources before and after a
16 disaster.

17 (3) To improve coordination among State or
18 tribal agencies and regional and local jurisdictions to
19 support community and economic recovery efforts
20 and address risk and vulnerability reduction.

21 (c) USE.—Amounts from a grant under this section
22 may be used by the grantee, or any unit of local govern-
23 ment that is a subgrantee of such grantee, only for—

24 (1) costs of establishing or maintaining, or
25 both, a resiliency office and implementing resiliency

1 programming, developing resilience planning and
2 analytic tools, enhancing community planning and
3 capacity, and providing technical assistance, in ac-
4 cordance with the requirements of subsection (b);
5 and

6 (2) payment of any non-Federal share required
7 in connection with a Federal program undertaken to
8 carry out any of the purposes of subsection (b)(2).

9 (d) APPLICATIONS.—To apply for a grant under this
10 section, a State or Indian tribe shall submit an application
11 at such time, in such form, and containing such informa-
12 tion as the Secretary may prescribe.

13 (e) PRIORITY.—In awarding grants under this sec-
14 tion to States, the Secretary shall give priority to applica-
15 tions that—

16 (1) demonstrate the greatest need for assistance
17 under this section;

18 (2) identify vulnerabilities and risks in dis-
19 advantaged communities and prioritize projects to
20 benefit such communities and promote equity in re-
21 silience;

22 (3) demonstrate a broad approach to resilience,
23 as such term is defined in subsection (j)(3);

24 (4) provide for the grantee to work collabo-
25 ratively with multiple stakeholders impacted by the

1 identified risks and vulnerabilities, including the for-
2 mation of a permanent climate resilience advisory
3 task force that includes individuals—

4 (A) representing each of the areas identi-
5 fied in subsection (b)(1);

6 (B) representing disadvantaged commu-
7 nities;

8 (C) representing labor, worker, and work-
9 force development;

10 (D) representing tribal nations or tribal
11 communities;

12 (E) representing local governments;

13 (F) having experience in climate-related
14 disaster preparedness, response, and recovery;
15 and

16 (G) having public health expertise; and

17 (5) provide for subgrants to entities that adhere
18 to prevailing wage provisions as published by the
19 Department of Labor.

20 (f) AMOUNT.—The Secretary shall award grants in
21 an amount sufficient to provide funding to a grantee to
22 cover a minimum of 24 months of grant activities.

23 (g) TECHNICAL ASSISTANCE.—The Secretary shall,
24 in consultation with the Administrator of the Federal
25 Emergency Management Agency, the Secretary of Com-

1 merce, the Secretary of Interior, and such other heads of
2 Federal agencies as the Secretary considers appropriate,
3 provide technical assistance to grantees regarding devel-
4 oping resiliency frameworks and implementing resiliency
5 strategies.

6 (h) ADMINISTRATIVE COSTS.—Of any amounts made
7 available for grants under this section, the Secretary may
8 use 1.0 percent for costs of administering the program
9 under this section for such grants and for providing tech-
10 nical assistance under subsection (g).

11 (i) REPORTS TO HUD.—Not later than 90 days after
12 the end of each fiscal year for which a grantee receives
13 a grant under this section, the grantee shall submit a re-
14 port to the Secretary regarding the use of such grant
15 amounts, which shall include—

16 (1) a description of the activities undertaken by
17 the grantee using such grant amounts;

18 (2) identification of the costs of each of the
19 services provided using such grant amounts; and

20 (3) assessments of the effectiveness of the grant
21 program under this section and the programs car-
22 ried out by the resiliency office of the grantee and
23 recommendations for improving such programs.

24 (j) DEFINITIONS.—

1 (1) DISADVANTAGED COMMUNITY.—The term
2 “disadvantaged community” means a community
3 that is determined by the Secretary to meet the in-
4 terim definition of a disadvantaged community using
5 the indicators and guidelines set forth in the Memo-
6 randum for the Heads of Departments and Agencies
7 relating to Interim Implementation Guidance for the
8 Justice⁴⁰ Initiative, issued by the Director of the
9 Office of Management and Budget, Chair of the
10 Council on Environmental, and the National Climate
11 Advisor on July 20, 2021 (M-21-28).

12 (2) GRANTEE.—The term “grantee” means a
13 State or Indian tribe to which a grant under this
14 section is made.

15 (3) INDIAN TRIBE.—The term “Indian tribe”
16 has the meaning given such term in section 4 of the
17 Native American Housing and Self-Determination
18 Act of 1996 (25 U.S.C. 4103).

19 (4) RESILIENCE.—The term “resilience”
20 means, with respect to a community, the ability to
21 rebound, positively adapt to, or thrive amidst chang-
22 ing conditions or challenges, including human-caused
23 and natural disasters, and to maintain quality of
24 life, healthy growth, durable systems, economic vital-

1 ity, and conservation of resources for present and
2 future generations.

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of Housing and Urban Development.

5 (6) STATE.—The term “State” means a State
6 of the United States, the District of Columbia, the
7 Commonwealth of Puerto Rico, Guam, the Northern
8 Mariana Islands, the Virgin Islands, and American
9 Samoa.

10 (k) FUNDING.—

11 (1) AUTHORIZATION OF APPROPRIATIONS.—
12 There is authorized to be appropriated for grants
13 under this section \$200,000,000 for each of fiscal
14 years 2022 through 2027.

15 (2) SET-ASIDE FOR INDIAN TRIBES.—Of any
16 amounts appropriated for a fiscal year for grants
17 under this section, the Secretary shall reserve 10
18 percent for grants to Indian tribes. The Secretary
19 shall allocate such amounts reserved, among Indian
20 tribes having applications for grants under this sec-
21 tion for such fiscal year approved by the Secretary,
22 on the basis of a competition conducted pursuant to
23 specific criteria for the selection of Indian tribes to
24 receive such amounts. The criteria shall be contained
25 in a regulation promulgated by the Secretary, in

- 1 consultation with the Secretary of Interior, after no-
- 2 tice and opportunity for public comment.