

117TH CONGRESS
1ST SESSION

H. R. 3228

To direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to improve science, data, and services that enable sound decision making in response to coastal flood risk, including impacts of sea level rise, storm events, changing Great Lakes water levels, and land subsidence.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2021

Ms. VELÁZQUEZ (for herself, Ms. BARRAGÁN, Ms. TLAIB, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to improve science, data, and services that enable sound decision making in response to coastal flood risk, including impacts of sea level rise, storm events, changing Great Lakes water levels, and land subsidence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Coastal Resilience Data and Services Act”.

4 **SEC. 2. DECLARATION OF POLICY.**

5 It is the policy of the United States to bolster adaptation and increase resilience by preparing for and protecting against the social, economic, and environmental impacts of coastal flood risk, including impacts of sea level rise, storm events, changing Great Lakes water levels, and land subsidence, in all coastal and Great Lakes States and territories by supporting actions that—

12 (1) improve, create, and make investments in authoritative forecasts, predictions, projections, and services, including sustaining and enhancing underlying observing and spatial reference systems, mapping and geospatial services, modeling, product development and delivery, including probabilistic assessment of risks, and providing engagement and technical assistance to all levels of government, tribal governments, and to vulnerable and historically marginalized and overburdened communities;

22 (2) convene and engage users and providers of relevant data and services, including Federal agencies, State, local, tribal, and territorial governments, academia, the commercial sector, nonprofit and philanthropic organizations, environmental justice orga-

1 nizations, and international partners to work to-
2 gether to identify needs and potential solutions, fill
3 gaps in services, and provide technical assistance to
4 inform decision making; and

5 (3) promote a coordinated, whole of government
6 approach to ensuring that our citizens have the
7 coastal data and services needed to increase our na-
8 tional resilience.

9 **SEC. 3. FINDINGS.**

10 Congress finds the following:

11 (1) Coastal flood risk, including the impacts of
12 sea level rise, dramatic shifts in Great Lakes water
13 levels, land subsidence, and damage from high tide
14 flooding and storm events are severely impacting
15 coastal States, territories, communities, economies,
16 and ecosystems.

17 (2) Millions of people and billions of dollars in
18 critical infrastructure are at risk due to the threat
19 of coastal floods, the impacts of which are predicted
20 to be more frequent and severe in the future and
21 present a crisis on the coast that threatens national
22 and economic security.

23 (3) According to the National Oceanic and At-
24 mospheric Administration—

1 (A) the 2020 United States Atlantic hurri-
2 cane season was the most active on record with
3 30 named storms, 7 of which were billion-dollar
4 disasters exceeding \$40 billion in total dam-
5 ages; and

6 (B) the United States annual high tide
7 flooding frequency is accelerating and has more
8 than doubled since 2000 due to rising relative
9 sea levels, with United States coastal commu-
10 nities today experiencing an average of 2 to 6
11 high tide flooding days each year and expected
12 to experience an increase to between 7 and 15
13 days each year by 2030 and between 25 and 75
14 days each year by 2050.

15 (4) Our societal response to these threats re-
16 quires sound decision making within many sectors of
17 our society, including those concerned with human
18 health, social equity, insurance, finance, infrastruc-
19 ture investments, building codes, engineering design,
20 zoning, urban planning, transportation, marine com-
21 merce, emergency preparedness, disaster response
22 and recovery, ecosystem restoration, marine resource
23 management, marine conservation, and more.

24 (5) Each of these endeavors requires accurate
25 and authoritative data, observations, modeling, map-

1 ping, and services that quantify and clearly commu-
2 nicate the drivers of coastal flood risk, including sea
3 level rise, to improve understanding of present day
4 and future flood risk at the coast and enable sound
5 public policy and risk-informed decision making.

6 (6) A whole of government approach is required
7 to understand and combat the crisis on the coast. As
8 is the case with the delivery of data and services to
9 support decision making with respect to severe
10 weather, hurricanes, inland flooding, and space
11 weather, many Federal agencies have key contribu-
12 tions to make. The leadership role of the National
13 Oceanic and Atmospheric Administration (in this
14 Act referred to as the “NOAA”) is critical given the
15 agency’s mission and extensive expertise.

16 (7) In addition to State, local, tribal, and terri-
17 torial governments, the private sector, and other
18 constituencies, many Federal agencies rely on the
19 data and services of the NOAA to inform their mis-
20 sions and investments.

21 (8) In addition to being users of NOAA data
22 and services, other Federal agencies conduct or sup-
23 port observations, modeling, research, and other ac-
24 tivities that contribute to and inform the coastal
25 forecasts, data, and services provided by the NOAA.

1 (9) Strengthening and sustaining the programs,
2 networks, observations, and modeling of the NOAA
3 to support improved coastal flood risk products and
4 services is an urgent national priority. Doing so will
5 materially benefit the myriad economic and resource
6 management sectors that are being impacted by
7 coastal flooding, sea level rise, changing Great Lakes
8 water levels, and land subsidence.

9 (10) There is an urgent need for the NOAA, in
10 partnership with other Federal agencies, to expand
11 and enhance observations, mapping, modeling, and
12 services that inform the public and decision makers
13 about risk from coastal flooding, sea level rise,
14 changing Great Lakes water levels, and land subsid-
15 ence by—

16 (A) identifying and leveraging existing ca-
17 pacities and capabilities to assess and predict
18 coastal flood risk and its impacts; and

19 (B) convening a national effort to deliver
20 enhanced authoritative and science-based prod-
21 ucts, services, and technical assistance.

22 **SEC. 4. DEFINITIONS.**

23 In this Act—

24 (1) the term “Administrator” means the Ad-
25 ministrator of the National Oceanic and Atmos-

1 pheric Administration and Under Secretary of Com-
2 merce for Oceans and Atmosphere; and

3 (2) the term “coastal State” has the same
4 meaning as defined in section 304 of the Coastal
5 Zone Management Act of 1972 (16 U.S.C. 1453)
6 and includes the District of Columbia.

7 **SEC. 5. AUTHORIZATION OF NOAA ACTIVITIES.**

8 (a) IN GENERAL.—The Secretary of Commerce, act-
9 ing through the Administrator of the National Oceanic
10 and Atmospheric Administration, shall, in consultation
11 with other Federal agencies, develop within the NOAA a
12 comprehensive suite of products and services with respect
13 to coastal flood, sea level rise, Great Lakes water level,
14 and vertical land motion data, and conduct the research
15 and development necessary to support products and serv-
16 ices that—

17 (1) augment existing capacities and combine ex-
18 isting observations, modeling, predictions, and prod-
19 ucts and services into a coordinated decision-support
20 framework;

21 (2) produce and maintain authoritative and
22 timely data, maps, and information services, includ-
23 ing improving existing and new information products
24 and services targeted to end user needs, that allow

1 coastal communities across the United States to
2 plan for present and future coastal flood risk; and
3 (3) engage with, ensure accessibility by, and
4 provide technical assistance to end users, particu-
5 larly with respect to historically underserved and at
6 risk communities and populations, which shall in-
7 clude consultation with other Federal agencies, re-
8 gional ocean partnerships, and State, local, and trib-
9 al governments on the appropriate application of
10 these data and tools and to better assess information
11 gaps, needs, and solutions relating to the risk posed
12 by coastal flooding, including sea level rise.

13 (b) DATA ARCHIVING.—The Administrator shall
14 make data and metadata generated in the process of car-
15 rying out the requirements of this Act fully and openly
16 available in accordance with the Evidence-Based Policy-
17 making Act of 2018 (Public Law 115–435; 132 Stat.
18 5529) to maximize distribution, access, and effective utili-
19 zation of these important national assets. The Adminis-
20 trator shall serve as the archive authority and stewardship
21 partner for this data and conduct activities to assure max-
22 imum return on investment for this important national
23 asset.

24 (c) USE OF EXISTING ADVISORY COMMITTEES.—The
25 Administrator may consult with and seek input from exist-

1 ing agency advisory committees to provide recommenda-
2 tions on systems, products, and services relating to coastal
3 flooding, including sea level rise.

4 (d) TECHNICAL ASSISTANCE.—To assist in carrying
5 out this Act and to facilitate collaboration, the Adminis-
6 trator may provide technical assistance to other Federal
7 agencies on a reimbursable or non-reimbursable basis, in-
8 cluding by entering into an agreement with another Fed-
9 eral agency to detail, for a period of not more than 3
10 years, an employee of the NOAA to such Federal agency.

11 (e) INTERNATIONAL ENGAGEMENT.—In addition to
12 the authority provided in section 6(b)(5) of this Act, the
13 Administrator, in coordination with the Department of
14 State, may engage internationally to provide and receive
15 technical assistance, data sharing, and capacity building
16 on matters pertaining to coastal flooding and sea level rise
17 and inundation, including participating in and on relevant
18 international bodies and organizations.

19 (f) REPORT.—The Administrator shall, not later than
20 1 year after the date of enactment of this Act and every
21 3 years thereafter, provide the Committee on Natural Re-
22 sources of the House of Representatives and the Com-
23 mittee on Commerce, Science, and Transportation of the
24 Senate with a report on actions taken to implement the
25 requirements under this Act, which shall include an eval-

1 uation of the need to expand and improve agency observa-
2 tions, modeling, predictions, and products and services
3 to—

4 (1) improve the understanding of the processes
5 that drive coastal flood risk, including sea level rise,
6 storm events, changing Great Lakes water levels,
7 and land subsidence, especially in coastal commu-
8 nities with respect to the demographics of coastal
9 community human population; and

10 (2) track and report how observed rates of sea
11 level rise compare to the sea level rise trends and
12 predictions published within the quadrennial Na-
13 tional Climate Assessments and related reports.

14 (g) AUTHORIZATION OF APPROPRIATIONS.—To carry
15 out the requirements of this section, there is authorized
16 to be appropriated \$300,000,000 for each of fiscal years
17 2022 through 2027.

18 **SEC. 6. INTERAGENCY COORDINATION.**

19 (a) IN GENERAL.—The Director of the Office of
20 Science and Technology Policy, in consultation with the
21 Administrator, shall—

22 (1) facilitate interagency cooperation and align-
23 ment of Federal Government activities conducted
24 with respect to coastal flooding, including sea level
25 rise, to improve the ability of the United States to

1 prepare for, avoid, mitigate, respond to, and recover
2 from potentially devastating impacts; and

3 (2) coordinate the activities of the interagency
4 subcommittee established under subsection (b).

5 (b) COASTAL FLOODING AND SEA LEVEL RISE SUB-
6 COMMITTEE.—

7 (1) ESTABLISHMENT.—Not later than 90 days
8 after the date of enactment of this Act, the Presi-
9 dent, acting through the appropriate interagency
10 committee or task force, shall establish within such
11 committee or task force an interagency sub-
12 committee on coastal flooding and sea level rise
13 (hereafter referred to as the “subcommittee”).

14 (2) PURPOSES.—The subcommittee shall—

15 (A) be the primary venue for the presen-
16 tation and discussion of the latest science and
17 technologies and for coordination of executive
18 branch actions and activities that improve
19 measurements, predictions, and service delivery
20 of information related to coastal flood risk, in-
21 cluding sea level rise;

22 (B) identify gaps in observations, data, in-
23 formation, and modeling and ensure agency ac-
24 tivities are complementary;

1 (C) consult and coordinate with other
2 interagency climate and ocean policy efforts and
3 bodies as appropriate;

4 (D) coordinate the delivery of science and
5 data and technical assistance from Federal
6 agencies, including to support and inform the
7 development and delivery of the products and
8 services of the NOAA; and

9 (E) define and prioritize needs from other
10 Federal agencies that could be addressed by en-
11 hancements to Federal data and services, in-
12 cluding the products and services of the NOAA.

13 (3) LEADERSHIP.—The subcommittee shall be
14 co-chaired by the Director of the Office of Science
15 and Technology Policy and the Administrator.

16 (4) MEMBERSHIP.—The following entities shall
17 be members of the subcommittee:

18 (A) The National Oceanic and Atmos-
19 pheric Administration.

20 (B) The National Aeronautics and Space
21 Administration.

22 (C) The Department of Interior through
23 the United States Geological Survey.

24 (D) The United States Army Corps of En-
25 gineers.

1 (E) The Department of Homeland Security
2 through the Federal Emergency Management
3 Administration.

4 (F) The Environmental Protection Agency.

5 (G) The Department of Defense.

6 (H) The Department of Energy.

7 (I) The National Science Foundation.

8 (J) Such other White House offices and
9 Federal agencies that the Director of the Office
10 of Science and Technology Policy deems appro-
11 priate.

12 (5) AGREEMENTS.—To carry out the activities
13 under this Act—

14 (A) the heads of the agencies represented
15 on the subcommittee may enter into cooperative
16 agreements, or any other agreement with each
17 other, and transfer, receive, and expend funds
18 made available by any Federal agency, any
19 State or subdivision thereof, or any public or
20 private organization or individual;

21 (B) the Administrator of the National Aer-
22 onautics and Space Administration and the Ad-
23 ministrator of the National Oceanic and Atmos-
24 pheric Administration shall enter into one or
25 more interagency agreements providing for co-

1 operation and collaboration in the development
2 of sea level rise and coastal flood related instru-
3 ments, technologies, and data sets, and prod-
4 ucts in accordance with this Act; and

5 (C) the Director of the United States Geo-
6 logical Survey and the Administrator of the Na-
7 tional Oceanic and Atmospheric Administration
8 shall enter into one or more interagency agree-
9 ments providing for cooperation and collabora-
10 tion in the development, quality control, proc-
11 essing, and delivery of coastal hazards and sea
12 level rise related data, modeling, mapping, and
13 services in accordance with this Act.

14 (6) INTERNATIONAL, ACADEMIC COMMUNITY,
15 AND COMMERCIAL SECTOR COLLABORATION.—Each
16 Federal agency participating in the subcommittee es-
17 tablished under this subsection shall, to the extent
18 practicable, increase engagement and cooperation
19 with the international community, academic commu-
20 nity, and commercial sector on the observational in-
21 frastructure, data, scientific research, and service
22 delivery and technical assistance necessary to ad-
23 vance the monitoring, forecasting, and prediction of,
24 preparation for, and protection from coastal flood-

- 1 ing, sea level rise, changing Great Lakes water lev-
- 2 els, and land subsidence.

