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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To direct the Under Secretary of Commerce for Standards and Technology to establish a Commission on Hazard Risk Assessment Tools, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT FRANKLIN of Florida introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To direct the Under Secretary of Commerce for Standards and Technology to establish a Commission on Hazard Risk Assessment Tools, 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 “Advancing Consistent  
5 and Credible Use of Risk Assessment Tools and Evalua-  
6 tion Act” or the “ACCURATE Act”.

1 **SEC. 2. COMMISSION ON HAZARD RISK ASSESSMENT**  
2 **TOOLS.**

3 (a) ESTABLISHMENT.—Not later than 180 days after  
4 the enactment of this Act, the Under Secretary of Com-  
5 merce for Standards and Technology shall establish a  
6 commission to be known as the “Commission on Hazard  
7 Risk Assessment Tools” (in this section referred to as the  
8 “Commission”). The Commission shall serve in an advi-  
9 sory capacity and provide recommendations to the Under  
10 Secretary.

11 (b) DUTIES.—The duties of the Commission include  
12 the following:

13 (1) Identify hazard risk assessment tools and  
14 models needed and procured by Federal Depart-  
15 ments and agencies, including—

16 (A) hazard maps;

17 (B) flood maps;

18 (C) return period maps;

19 (D) hazard scores;

20 (E) hazard ratings; and

21 (F) risk scores.

22 (2) Identify the sources of key data inputs and  
23 parameters used in the development of hazard risk  
24 assessment tools and models including—

25 (A) data related to the frequency and se-  
26 verity of natural hazards;

1 (B) scientific data related to how the fre-  
2 quency and severity of natural hazard affect,  
3 influence, shape risks and offsets of the built  
4 environment described in paragraph (C) and  
5 (D);

6 (C) data related to inventories of the built  
7 environment, including buildings and infrastruc-  
8 ture;

9 (D) data related to natural hazard expo-  
10 sures and vulnerabilities of built environments  
11 including infrastructure, economic activity and  
12 human populations; and

13 (E) data related to the adaptation and  
14 hazard mitigation practices used to offset the  
15 risk to and impact of natural hazard exposures  
16 and vulnerabilities of built environments.

17 (3) Develop and submit to the Under Secretary  
18 of Commerce for Standards and Technology rec-  
19 ommended standards and specifications required to  
20 validate the quality control of hazard risk assess-  
21 ment tools and models described in subsection (1).

22 Such standards and specifications shall address—

23 (A) The data inputs and parameters de-  
24 scribed in subsection (2);

25 (B) Model assumptions; and

1 (C) Validation of model outputs.

2 (4) Develop and submit to the Under Secretary  
3 of Commerce for Standards and Technology rec-  
4 ommended standardized methodologies and protocols  
5 for the collection, validation, and analysis of the key  
6 data inputs and parameters identified in subsection  
7 (3).

8 (5) Catalogue the quality, reliability, usability,  
9 timeliness, accuracy, consistency, and transparency  
10 needs for hazard risk assessment tools and models  
11 used by Federal departments and agencies that cur-  
12 rently procure or utilize such tools, as determined by  
13 the Commission.

14 (6) Make recommendations to the Under Sec-  
15 retary of Commerce for Standards and Technology  
16 regarding best practices for Federal departments  
17 and agencies for procurement of hazard risk assess-  
18 ment tools regarding the quality, reliability,  
19 usability, timeliness, accuracy, consistency, and  
20 transparency of hazard risk assessment tools and  
21 models. Such recommendations shall include an eval-  
22 uation of the Federal Acquisition Regulations perti-  
23 nent to such Federal departments and agencies to  
24 determine whether the current requirements should  
25 be updated based upon the recommended best prac-

1 tices guidance for the procurement of hazard risk  
2 assessment tools.

3 (7) REVIEW AND ACTION.—

4 (A) Not later than 180 days after receiving  
5 recommendations from the Commission under  
6 this subsection, the Under Secretary of Com-  
7 merce for Standards and Technology shall re-  
8 view such recommendations and determine  
9 whether to adopt, modify, or decline such stand-  
10 ards, methodologies, or best practices.

11 (B) The Under Secretary for Standards  
12 and Technology may issue guidance, standards,  
13 or other appropriate directives for use by Fed-  
14 eral departments and agencies based on such  
15 determinations.

16 (c) MEMBERSHIP.—

17 (1) IN GENERAL.—The Commission shall be  
18 comprised of representatives from each of the fol-  
19 lowing categories.

20 (A) A Federal department or agency re-  
21 sponsible for modeling natural hazards.

22 (B) A state or local emergency response  
23 organization.

24 (C) FEMA.

1 (D) A state regulatory agency that utilizes  
2 or procures hazard risk assessment tools or  
3 models.

4 (E) A Federal department or agency that  
5 utilizes or procures hazard risk assessment  
6 tools or models.

7 (F) A non-governmental organization or  
8 national association representing rural commu-  
9 nities.

10 (G) A non-governmental organization or  
11 national association representing urban commu-  
12 nities.

13 (H) Insurance industry.

14 (I) Banking industry.

15 (J) Public utility industry.

16 (K) Construction industry.

17 (L) Real estate industry.

18 (M) Transportation/logistics.

19 (N) Risk management consultant/profes-  
20 sional.

21 (O) Structural engineering.

22 (P) Institute of higher education (as such  
23 term is defined in Section 101 of the Higher  
24 Education Act of 1965 (20 U.S.C. 1001) con-

1           ducting research on hazard risk assessment  
2           tools or modeling.

3           (Q) Institute of higher education utilizing  
4           artificial intelligence (as such term is described  
5           in the National Artificial Intelligence Initiative  
6           Act of 2020 (15 U.S.C 9401) to improve haz-  
7           ard risk assessment tools or models.

8           (2) CHAIRPERSON.—The Commission shall be  
9           chaired by the Under Secretary of Commerce for  
10          Standards and Technology or their designee.

11          (3) APPOINTMENT.—The Chairperson of the  
12          Commission shall appoint the members to satisfy the  
13          representational requirements described in para-  
14          graph (1).

15          (4) EXPERTISE.—Every member of the Com-  
16          mission appointed shall all have expertise in at least  
17          one of the following categories:

18                 (A) Emergency management or response.

19                 (B) Utilization or procurement of hazard  
20                 risk assessment products or models.

21                 (C) Modeling of natural hazards.

22                 (D) Community planning.

23                 (E) Structural engineering with respect to  
24                 natural hazards.

1 (F) Research of hazard risk assessment  
2 products or models.

3 (G) Utilizing artificial intelligence to im-  
4 prove hazard risk assessment products or mod-  
5 els.

6 (5) BALANCE.—When appointing the members  
7 of the Committee, the Chairperson shall ensure at  
8 least one person with each of the expertise described  
9 in paragraph (4) is represented.

10 (6) VACANCIES.—Within 30 days of a vacancy  
11 on the Commission occurring, the Chairperson shall  
12 fill such vacancy from the same category that cre-  
13 ated the vacancy and satisfied the requirements de-  
14 scribed in this section.

15 (d) CONFLICT OF INTEREST, DISCLOSURE, AND  
16 RECUSAL.—

17 (1) CONFLICT OF INTEREST REPORTING.—A  
18 member of the Commission who is not designated a  
19 Special Government Employee (SGE) shall disclose  
20 to the Chairpersons any real or potential conflict of  
21 interest if such member has a direct financial inter-  
22 est in any hazard risk assessment tools, model, or  
23 modeling provider that is subject to review or valida-  
24 tion through the standards and specifications estab-  
25 lished in subsection (b)(2).

1           (2) SGE.—A member of the Commission des-  
2           ignated as a special government employee shall be  
3           subject to applicable laws as delineated under 18  
4           USC 201 et Seq, Standards of Ethical Conduct for  
5           Employees of the Executive Branch.

6           (3) DISCLOSURE PROTOCOLS.—A member of  
7           the Commission disclosing a conflict of interest in  
8           subsection (d)(1) shall submit a written report to  
9           the Commission to disclose the following:

10                   (A) Direct financial interest.

11                   (B) Affiliations with entities that have a  
12           direct financial interest.

13                   (C) Close relative or family member that  
14           have a direct financial interest.

15           (4) TIMING OF DISCLOSURE.—Disclosure of  
16           conflict interest under subsection (1) shall occur be-  
17           fore any meeting in which any hazard risk assess-  
18           ment tools, model or modeling provider is reviewed  
19           or validated.

20           (5) RECUSAL.—Any member with a conflict de-  
21           scribed in subsection (2) shall seek recusal from par-  
22           ticipation in deliberations, decisions, or votes related  
23           to the review that presents the conflict.

24           (e) REPORTS.—The Commission shall submit to the  
25           Committee on Science, Space, and Technology of the

1 House of Representatives and the Committee on Com-  
2 merce, Science, and Transportation of the Senate,

3 (1) A report not later than 9 months after the  
4 convening of the Commission that includes the fol-  
5 lowing:

6 (A) A catalogue of public and private sec-  
7 tor sources of hazard risk assessment tools.

8 (B) An assessment of the extent to which  
9 Federal departments and agencies utilize or  
10 purchase hazard risk assessment tools or mod-  
11 els produced by the private sector.

12 (C) A list of the key inputs and param-  
13 eters to hazard risk assessment tools.

14 (2) A report not later than 9 months after the  
15 submission of the report in subsection (1) that in-  
16 cludes the results of the Commission's duties out-  
17 lined in section (b).

18 (3) A report not later than 18 months submis-  
19 sion of the report in subsection (2) that includes the  
20 following:

21 (A) An analysis of the results of the Com-  
22 mission's duties listed under section (b) regard-  
23 ing the efficacy of the standards and specifica-  
24 tions in improving the quality of the hazard risk  
25 assessment tools available.

1 (B) The identification of any standards or  
2 specifications that improve the quality of the  
3 hazard risk assessment tools available or any  
4 hazard risk assessment tool that has not yet  
5 been subject to the standards and specifica-  
6 tions.

7 (C) Recommendations to address the defi-  
8 ciencies in existing standards and specifications  
9 and how to set standards and specifications for  
10 tools that did not fall under the purview of the  
11 original standards and specifications.

12 (f) UTILIZATION OF HAZARD RISK ASSESSMENT  
13 TOOLS AND MODELS.—

14 (1) CONDITIONAL APPLICATION.—If the Under  
15 Secretary of Commerce for Standards and Tech-  
16 nology adopts standards, methodologies, or guidance  
17 pursuant to subsection (b), Federal departments and  
18 agencies identified by the Commission shall, to the  
19 maximum extent practicable, incorporate such stand-  
20 ards and guidance when procuring or utilizing haz-  
21 ard risk assessment tools and models from the pri-  
22 vate sector.

23 (2) DOCUMENTATION.—(A) The purveyor of  
24 hazard risk assessment tools and models purchased  
25 in paragraph (1) shall document for Federal agen-

1       cies, and provide such documentation, how such haz-  
2       ard risk assessment tools and models conform to the  
3       standards and specifications adopted or issued by  
4       the Under Secretary of Commerce under subsection  
5       (b). In order to qualify to sell hazard risk assess-  
6       ment tools and models that have undergone a mate-  
7       rial change to Federal departments and agencies,  
8       the purveyor shall document, and provide such docu-  
9       mentation, of how the changed hazard risk assess-  
10      ment tools and models conform to the standards and  
11      specifications adopted or issued by the Under Sec-  
12      retary of Commerce under subsection (b)(7).

13           (3) LIMITED EXCEPTIONS.—Notwithstanding  
14      paragraph (1), a Federal department or agency may  
15      procure or utilize hazard risk assessment tools or  
16      models that do not incorporate standards or guid-  
17      ance issued under this subsection if:

18           (A) the Under Secretary of Commerce for  
19      Standards and Technology has not issued appli-  
20      cable standards or guidance for the specific use  
21      case; or

22           (B) such procurement or use is necessary  
23      to respond to a national emergency.

24           (4) NOTIFICATION.—If a Federal department  
25      or agency relies on paragraph (3)(B), the agency

1 shall, not later than 30 days after such use, notify  
2 the appropriate congressional committees and pro-  
3 vide a brief justification, as well as what steps the  
4 agency has taken to ensure that such a purchase or  
5 utilization does not recur.

6 (g) SUNSET.—The Commission terminates 5 years  
7 after the enactment of this Act.

8 (h) DEFINITIONS.—In this Act:

9 (1) BUILT ENVIRONMENT.—The term “built  
10 environment” means any man-made or modified  
11 structures, including associated infrastructure, that  
12 provide people with living, working, and recreational  
13 spaces.

14 (2) HAZARD RISK.—The term “hazard risk”  
15 means the exposure of people, property, infrastruc-  
16 ture, or economic activity to loss or disruption re-  
17 sulting from variations in natural hazards over a  
18 time period of at least one year.

19 (3) HAZARD RISK ASSESSMENT TOOLS.—The  
20 term “hazard risk assessment tools” means products  
21 developed using hazard risk information to create  
22 output including—

23 (A) hazard maps;

24 (B) flood maps;

25 (C) return period maps;

- 1 (D) hazard scores;  
2 (E) hazard ratings; and  
3 (F) risk scores.

4 (4) NATURAL HAZARDS.—The term “natural  
5 hazards” means extreme weather, water, or seismic  
6 events, including wildfire, drought, flooding, dam-  
7 aging winds, tornadoes, precipitation, earthquakes,  
8 and other natural phenomena, that have a high risk  
9 of loss of life or property.

10 (5) MATERIAL CHANGE.—The term “material  
11 change” means a model version update that changes  
12 underlying input data, methodology, or assumptions,  
13 or updates losses or categorization of properties or  
14 areas by more than ten percent.