AMENDMENT TO RULES COMM. PRINT 117–13
OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle A of title XXVIII, add the following new section:

1 SEC. 28__. FLOOD RISK MANAGEMENT FOR MILITARY CONSTRUCTION.

   (a) Further Modification of Department of Defense Form 1391.—Section 2805(a)(1) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2262; 10 U.S.C. 2802 note) is amended by striking “100-year floodplain” both places it appears and inserting “500-year floodplain for mission critical facilities or a 100-year floodplain for non-mission critical facilities”.


15 (1) in subparagraph (A), by inserting before the period at the end the following: “using hydrologic, hydraulic, and hydrodynamic data, methods, and analysis that integrate current and projected changes in flooding based on climate science over the
anticipated service life of the facility and future forecasted land use changes”; and

(2) in subparagraph (D), by inserting after “future” the following: “flood risk and”.

(c) MITIGATION PLAN ASSUMPTIONS.—Section 2805(a)(4) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

(1) in subparagraphs (A) and (B), by striking “buildings” and inserting “facilities”; and

(2) in subparagraph (C), by inserting after “future” the following: “flood risk and”.

(d) CONFORMING AMENDMENT OF UNIFIED FACILITIES CRITERIA.—

(1) AMENDMENT REQUIRED.—Not later than September 1, 2022, the Secretary of Defense shall amend the Unified Facilities Criteria relating to military construction planning and design to ensure that building practices and standards of the Department of Defense incorporate the minimum flood mitigation requirements of section 2805(a) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2262; 10 U.S.C. 2802 note), as amended by this section.
(2) CONDITONAL AVAILABILITY OF FUNDS.—

Not more than 25 percent of the funds authorized to be appropriated for fiscal year 2022 for Department of Defense planning and design accounts relating to military construction projects may be obligated until the date on which the Secretary of Defense submits to the Committees on Armed Services of the House of Representatives and the Senate a certification that the Secretary—

(A) has initiated the amendment process required by paragraph (1); and

(B) intends to complete such process by September 1, 2022.

(3) IMPLEMENTATION OF UNIFIED FACILITIES CRITERIA AMENDMENTS.—

(A) IMPLEMENTATION.—Any Department of Defense Form 1391 submitted to Congress after September 1, 2022, shall comply with the Unified Facilities Criteria, as amended pursuant to paragraph (1).

(B) CERTIFICATION.—Not later than March 1, 2023, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate the completion of the amendment process re-
quired by paragraph (1) and the full incorpora-

tion of the amendments into military construc-
tion planning and design.