

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**
2 **CONSTRUCTION.**

3 (a) FURTHER MODIFICATION OF DEPARTMENT OF
4 DEFENSE FORM 1391.—Section 2805(a)(1) of the Military Construction Authorization Act for Fiscal Year 2019
5 (division B of Public Law 115-232; 132 Stat. 2262; 10
6 U.S.C. 2802 note) is amended by striking “100-year flood-
7 plain” both places it appears and inserting “500-year
8 floodplain for mission critical facilities or a 100-year flood-
9 plain for non-mission critical facilities”.

11 (b) REPORTING REQUIREMENTS.—Section
12 2805(a)(3) of the Military Construction Authorization Act
13 for Fiscal Year 2019 (division B of Public Law 115-232;
14 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

15 (1) in subparagraph (A), by inserting before the
16 period at the end the following: “using hydrologic,
17 hydraulic, and hydrodynamic data, methods, and
18 analysis that integrate current and projected
19 changes in flooding based on climate science over the

1 anticipated service life of the facility and future fore-
2 casted land use changes”; and

3 (2) in subparagraph (D), by inserting after “fu-
4 ture” the following: “flood risk and”.

5 (c) MITIGATION PLAN ASSUMPTIONS.—Section
6 2805(a)(4) of the Military Construction Authorization Act
7 for Fiscal Year 2019 (division B of Public Law 115–232;
8 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

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

11 (2) in subparagraph (C), by inserting after “fu-
12 ture” the following: “flood risk and”.

13 (d) CONFORMING AMENDMENT OF UNIFIED FACILI-
14 TIES CRITERIA.—

15 (1) AMENDMENT REQUIRED.—Not later than
16 September 1, 2022, the Secretary of Defense shall
17 amend the Unified Facilities Criteria relating to
18 military construction planning and design to ensure
19 that building practices and standards of the Depart-
20 ment of Defense incorporate the minimum flood
21 mitigation requirements of section 2805(a) of the
22 Military Construction Authorization Act for Fiscal
23 Year 2019 (division B of Public Law 115–232; 132
24 Stat. 2262; 10 U.S.C. 2802 note), as amended by
25 this section.

1 (2) CONDITIONAL AVAILABILITY OF FUNDS.—
2 Not more than 25 percent of the funds authorized
3 to be appropriated for fiscal year 2022 for Depart-
4 ment of Defense planning and design accounts relat-
5 ing to military construction projects may be obli-
6 gated until the date on which the Secretary of De-
7 fense submits to the Committees on Armed Services
8 of the House of Representatives and the Senate a
9 certification that the Secretary—

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

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

14 (3) IMPLEMENTATION OF UNIFIED FACILITIES
15 CRITERIA AMENDMENTS.—

16 (A) IMPLEMENTATION.—Any Department
17 of Defense Form 1391 submitted to Congress
18 after September 1, 2022, shall comply with the
19 Unified Facilities Criteria, as amended pursu-
20 ant to paragraph (1).

21 (B) CERTIFICATION.—Not later than
22 March 1, 2023, the Secretary of Defense shall
23 certify to the Committees on Armed Services of
24 the House of Representatives and the Senate
25 the completion of the amendment process re-

1 required by paragraph (1) and the full incorpora-
2 tion of the amendments into military construc-
3 tion planning and design.

