

Built to Last Act

Introduced By Senators Baldwin (D-WI) and Marco Rubio (R-FL)

The Built to Last Act will help ensure federal, state, local and private buildings, roads, and other infrastructure are more resilient to extreme weather events by equipping the organizations that issue building codes and other standards with the best available information on weather-related risks, including floods, hurricanes and wildfires.

Federal, state and local governments, as well as private entities, are responsible for planning, constructing and maintaining infrastructure paid for with federal funds, insured by federal programs, or eligible for federal disaster assistance. Extreme weather costs the federal government billions of dollars each year and poses a significant risk to infrastructure, including transportation systems, water and wastewater systems, government buildings and power lines that provide essential services to families and communities. According to the Congressional Budget Office, the estimated annual economic losses from damage caused by hurricanes and storm-related flooding is \$54 billion to households, businesses and government.¹

Design standards, building codes, and voluntary certifications can help ensure the resilience of federal and nonfederal infrastructure to the effects of natural disasters and extreme weather, but have generally relied on historical observations. Standards-developing organizations are the primary source of standards and codes that federal, state, local and private-sector infrastructure planners follow. State and local governments may adopt these building codes into state laws and regulations and local ordinances, which makes compliance with them a requirement for builders and building owners. Moreover, various federal laws and regulations govern the use of design standards, building codes, and voluntary certifications that standards-developing organizations issue.

Standards-developing organizations face institutional and technical challenges to using the best available forward-looking information in design standards. These organizations have difficulties identifying which information to use and do not update it regularly. They must also balance various interests while setting standards and codes. In November 2016, GAO found that standards-developing organizations have generally not used forward-looking information, like projected rainfall rates, in design standards, building codes and voluntary certifications.² GAO recommended that NIST convene an ongoing government-wide effort to provide this information to standards organizations. According to GAO, helping standards-developing organizations consider forward-looking information in the development of standards would reduce federal fiscal exposure to natural disasters.

The Built to Last Act will:

- Require the National Oceanic and Atmospheric Administration (NOAA) to identify a consistent, federal set of best available forward-looking metrological information; and
- Require the National Institute of Standards and Technology (NIST) to make that information available to standards-developing organizations, with advice and technical assistance to help ensure organizations are able to incorporate this information into standards, building codes and voluntary certifications.

¹ CBO Publication No. 55019

² GAO Publication No. 17-3