









# **Beyond Code and Resilience**

ICSSC Hybrid Meeting—Fall 2023

November 7, 2023

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### **Beyond Code and Resilience**

### EO 13717 (Feb. 2, 2016)

Establishes a minimum level of seismic safety compliance for new and existing buildings that will be constructed, altered, leased, financed, or regulated by the Federal Government by adopting the latest model building codes and standards.

#### **New Buildings**

International Building Code (IBC)
International Residential Code (IRC)

#### **Existing Buildings**

Standards of Seismic Safety for Existing Federally Owned and Leased Buildings (latest edition is ICSSC RP 10-22)



Administration of Barack Obama, 2016

Executive Order 13717—Establishing a Federal Earthquake Risk Management Standard Februaru 2, 2016

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Earthquake Hazards Reduction Act of 1977, as amended, and section 121(a) of title 40, United States Code, and to improve the Nation's resilience to earthquakes, I hereby direct the following:

Senten J. Policy. It is the policy of the United States to strengthen the security and realistence of the Matin against earthpuakes to promote public acity, economic strength, and national security. To that end, the Federal Government must continue to take proactive steps to enhance the resilience of buildings that are owned, leased, flananced, or regulated by the Federal Government. When making investment decisions related to Federal buildings, each seacetive department and agency (segony) responsible for implementing this order shall seek to enhance realience by reducing risk to the lives of building occupants and improving continued performance of essential functions following future earthpuakes. The Federal Government recognizes that building codes and standards primarily focus on ensuring minimum acceptable levels of earthpuakes afsety for preserving the lives of building occupants. To achieve true realisence against earthpuakes, however, new and easting buildings my need perform their essential functions following future earthpuakes. Agencies are thus encouraged to consider going beyond the codes and standards set out in this order to ensure that buildings are fully earthpuake realisent.

Sec. 2. Requirements for Earthquake Safety of New Federal Buildings, Improvements to Existing Federal Buildings, and Federally Leased, Financed, or Regulated Buildings.

(a) New Buildings and Alterations to Existing Buildings. Each agency responsible for the design and construction of a new building or an alteration to an existing building shall ensure that the building is designed, constructed, or altered, respectively, in accord with appropriate earthquaks-resistant design and construction codes and standards as set forth in sections 3(a) and 3(b) of this order.

(b) Space Leaved for Federal Occupancy. Each agency responsible for the lease of a building shall, to the extent permitted by law, ensure that it leases only buildings that have been designed and constructed in accord with the appropriate earthquise-resistant design and construction standards that apply to the type of lease at issue, as set forth in section 3(c) of this order.

(c) Federal Assistance Programs. Each agency assisting in the financing, through Federal grants or loaus, or guaranteeing the financing, through loau or mortgage insurance programs, of a newly constructed building shall consider updating its procedures for providing the assistance to be consistent with section 3(a) of this order, to assure appropriate consideration of earthquake safety.

(d) Federally Regulated Buildings. Each agency with responsibility for regulating the structural safety of a new building shall consider using earthquake-resistant design and construction standards for the new building consistent with section 3(a) of this order.

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### EO 13717, Section 1. Policy

... To that end, the Federal Government must continue to take proactive steps to enhance the resilience of buildings that are owned, leased, financed, or regulated by the Federal Government. When making investment decisions related to federal buildings, each agency responsible for implementing this order shall seek to enhance resilience by reducing risk to the lives of building occupants and improving continued performance of essential functions following future earthquakes.

To achieve true resilience against earthquakes, however, new and existing buildings <u>may</u> need to exceed those codes and standards to ensure, for example, that the buildings can continue to perform their essential functions following future earthquakes.

Agencies are thus <u>encouraged</u> to consider <u>going</u> <u>beyond the codes and standards</u> <u>set out in this order to ensure that buildings are fully earthquake resilient.</u>



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(d) Federally Regulated Buildings. Each agency with responsibility for regulating the structural safety of a new building shall consider using earthquake-resistant design and construction standards for the new building consistent with section 3(a) of this order.







### **EO** 13717, Section 3

(d) Agencies may require higher performance levels than exist in the codes and standards described in sections 3(a), (b), and (c) of this order.



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(a) New Buildings and Alterations to Existing Buildings. Each agency responsible for the design and construction of a new building or an alteration to an existing building shall ensure that the building is designed, constructed, or altered, respectively, in accord with appropriate earthquaks-resistant design and construction codes and standards as set forth in sections 3(a) and 3(b) of this order.

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### EO 13717, Section 4

- (c) The Director of NIST, on behalf of the ICSSC, shall issue implementing guidelines to assist agency compliance with this order within 8 months of the date of this order. The implementing guidelines shall provide specific guidance, including guidance about the roles and responsibilities of the agencies under section 2 of this order. The implementing guidelines shall also describe the responsibilities and necessary qualifications of the Seismic Safety Coordinator.
  - --- RP 9 NIST TN 1922 published January 2017
- (d) The Director of NIST, on behalf of the ICSSC, shall provide assistance in interpreting the implementing guidelines to the Federal departments and agencies.
  - --- RP 9 NIST TN 1922 published January 2017
  - --- ICSSC needs a position paper on going beyond code and standards mandated by the EO and what it means to have a "higher performance level".



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#### Discussion

What is resilience?

Agency?

**Building?** 

What are "essential functions"?

Agency?

**Building?** 

What is a "higher" performance level?

Agency?

**Building?** 



PUBLIC LAW 117-221-DEC, 5, 2022

136 STAT 2277

Public Law 117-221 117th Congress

An Act

To require the Director of the Office of Management and Budget to issue guidance with respect to natural disaster resilience, and for other purposes.

[8]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE.

SEC. 2. DEFINITIONS

In this Act: (1) APPROPRIATE CONGRESSIONAL COMMITTERS —The term "appropriate congressional committees" means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

menial Affairs of the Senate; and

(3) the Committee on Oversight and Referre of the
(30) the Committee on Oversight and Referre of the
town of Representatives.

(3) DBESCTOR—The term 'Director' means the Director

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(4) REAL, POOSERTY—The term 'real property' has the
meaning given the term in section 1806-10 of title 29, Code
of Federal Regulations, or any accessor thereto.

SEC. 3 CUIDANCE.

(a) IN GENERAL—Not later than 180 days after the date of Doubline-enactment of this Act, the Director shall establish guidance requiring the head of such agency to incorporate natural disaster requiring the head of such agency to incorporate natural disaster (and the contract of the

aster resilience.
(d) CONSULTATION.—In developing the guidance required under subsection (a), the Director may consult with appropriate entities,

including—
(1) the Comptroller General of the United States;





### Questions

## Thank you!

Please see chat feature for link to sign into meeting <a href="https://docs.google.com/forms/d/e/1FAIpQLSc1bdDy-GaG5PJHXpjdynGXKcpMNCazxAqKpWFUqCbV0tY9iA/viewform?usp=sharing">https://docs.google.com/forms/d/e/1FAIpQLSc1bdDy-GaG5PJHXpjdynGXKcpMNCazxAqKpWFUqCbV0tY9iA/viewform?usp=sharing</a>

You can also email ICSSC@nist.gov with your attendance information

