

116TH CONGRESS
1ST SESSION

H. R. 1317

To improve the resilience of the built and natural environment to natural disasters and climate change using, among other measures, natural and nature-based features, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 2019

Mr. ROUDA (for himself, Ms. NORTON, Mrs. NAPOLITANO, Ms. BARRAGÁN, Mr. MALINOWSKI, Mr. CARTWRIGHT, Mr. PETERS, Ms. PRESSLEY, Mr. CARBAJAL, Mr. GARAMENDI, Ms. OCASIO-CORTEZ, and Ms. MENG) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committees on Transportation and Infrastructure, Oversight and Reform, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the resilience of the built and natural environment to natural disasters and climate change using, among other measures, natural and nature-based features, 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 “Coastal Communities
5 Adaptation Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the National
5 Oceanic and Atmospheric Administration.

6 (2) COASTAL STATE.—The term “coastal
7 State”—

8 (A) means a State of the United States in,
9 or bordering on, the Atlantic, Pacific, or Arctic
10 Ocean, the Gulf of Mexico, the Long Island
11 Sound, or one or more of the Great Lakes; and

12 (B) includes the District of Columbia,
13 Puerto Rico, the Virgin Islands, Guam, the
14 Commonwealth of the Northern Mariana Is-
15 lands, the Trust Territories of the Pacific Is-
16 lands, and American Samoa.

17 (3) NATURAL FEATURE.—The term “natural
18 feature” means a feature that is created through the
19 action of physical, geological, biological, and chem-
20 ical processes over time.

21 (4) NATURE-BASED FEATURE.—The term “na-
22 ture-based feature” means a feature that is created
23 by human design, engineering, and construction to
24 provide risk reduction in coastal areas by acting in
25 concert with natural processes.

1 (5) NONSTRUCTURAL MEASURE.—The term
2 “nonstructural measure” means an action, including
3 a modification in public policy, management prac-
4 tice, regulation, or pricing policy, that reduces harm-
5 ful consequences of flooding, but does not create a
6 structural barrier to floodwaters.

7 (6) SECRETARY.—The term “Secretary” means
8 the Secretary of Commerce.

9 **SEC. 3. RESEARCH AND GRANTS TO IMPROVE RESILIENCE**
10 **OF BUILT ENVIRONMENT.**

11 (a) DEFINITION OF WINDSTORM.—Section 203(4) of
12 the National Windstorm Impact Reduction Act of 2004
13 (42 U.S.C. 15702(4)) is amended to read as follows:

14 “(4) WINDSTORM.—The term ‘windstorm’
15 means any storm with a damaging or destructive
16 wind component, including—

17 “(A) a hurricane;

18 “(B) a tropical storm;

19 “(C) a northeaster;

20 “(D) a tornado;

21 “(E) a thunderstorm; and

22 “(F) any water induced forces from waves,
23 flood, storm surge, or rainfall related to a storm
24 described in subparagraphs (A) through (E).”.

1 (b) NATIONAL INSTITUTE OF STANDARDS AND
2 TECHNOLOGY.—Section 204(b) of the National Wind-
3 storm Impact Reduction Act of 2004 (42 U.S.C.
4 15703(b)) is amended—

5 (1) in paragraph (1)(A), by striking “buildings”
6 and inserting “buildings, structures,”; and

7 (2) by amending paragraph (2) to read as fol-
8 lows:

9 “(2) NATIONAL INSTITUTE OF STANDARDS AND
10 TECHNOLOGY.—In addition to the lead agency re-
11 sponsibilities described under paragraph (1), the Di-
12 rector of the National Institute of Standards and
13 Technology shall—

14 “(A) carry out research and development
15 to improve the resilience and responsiveness of
16 buildings, structures, and lifelines to wind-
17 storms, including by recommending for the de-
18 sign, construction, and retrofit of buildings,
19 structures, and lifelines—

20 “(i) model building codes;

21 “(ii) voluntary design standards; and

22 “(iii) best practices;

23 “(B) award grants on a competitive basis
24 for research and development for the purpose
25 described in subparagraph (A);

1 “(C) in coordination with other relevant
2 entities, provide research and guidance related
3 to windstorms and other climate change or ex-
4 treme weather to standards developing organi-
5 zations for their consideration in the develop-
6 ment of design standards and building codes;
7 and

8 “(D) conduct public outreach and edu-
9 cation and training programs related to this
10 chapter for design and construction profes-
11 sionals.”.

12 (c) NATIONAL SCIENCE FOUNDATION.—Section
13 204(b)(3) of the National Windstorm Impact Reduction
14 Act of 2004 (42 U.S.C. 15703(b)(3)) is amended to read
15 as follows:

16 “(3) NATIONAL SCIENCE FOUNDATION.—The
17 Director of the National Science Foundation, in co-
18 ordination with the heads of other Federal agencies
19 conducting related activities, shall support research,
20 including multidisciplinary research—

21 “(A) on engineering and the atmospheric
22 sciences to improve the understanding of the
23 behavior of windstorms and their impact on
24 buildings, structures, and lifelines;

1 “(B) on the impact of economic and social
2 factors on windstorm risk reduction measures;

3 “(C) to improve the resilience of buildings,
4 structures, and lifelines to windstorms; and

5 “(D) to improve the responsiveness of
6 buildings, structures, and lifelines after a wind-
7 storm.”.

8 (d) DEPARTMENT OF HOUSING AND URBAN DEVEL-
9 OPMENT.—Section 204(b) of the National Windstorm Im-
10 pact Reduction Act of 2004 (42 U.S.C. 15703(b)) is
11 amended by adding at the end the following:

12 “(6) DEPARTMENT OF HOUSING AND URBAN
13 DEVELOPMENT.—The Secretary of the Department
14 of Housing and Urban Development shall promote
15 the adoption of windstorm preparedness and mitiga-
16 tion measures for manufactured HUD code housing
17 units.”.

18 (e) INTERAGENCY COORDINATING COMMITTEE ON
19 WINDSTORM IMPACT REDUCTION.—Section 204(e)(2)(A)
20 of the National Windstorm Impact Reduction Act of 2004
21 (42 U.S.C. 15703(e)(2)(A)) is amended—

22 (1) in clause (iv), by striking “; and” and in-
23 serting a semicolon; and

24 (2) by adding at the end the following:

1 “(vi) the Department of Housing and
2 Urban Development; and”.

3 **SEC. 4. BUILT TO LAST STAMP.**

4 (a) **IN GENERAL.**—In order to afford the public a di-
5 rect and tangible way to contribute to funding for shore-
6 line risk and climate change adaptation, the United States
7 Postal Service shall issue a semipostal (referred to in this
8 section as the “Built to Last Stamp”) in accordance with
9 subsection (b).

10 (b) **REQUIREMENTS.**—The provisions of section 416
11 of title 39, United States Code, shall apply as practicable
12 with respect to the Built to Last Stamp, subject to the
13 following:

14 (1) **DESIGN.**—The Built to Last Stamp shall
15 depict such design as the Postal Service, in consulta-
16 tion with the Secretary, considers appropriate.

17 (2) **DISPOSITION OF PROCEEDS.**—Subject to
18 subsection (d)(3) of that section, the amounts be-
19 coming available from the sale of the Built to Last
20 Stamp shall be deposited in the Built to Last Stamp
21 Fund under subsection (c) of this section.

22 (c) **BUILT TO LAST STAMP FUND.**—

23 (1) **ESTABLISHMENT.**—There is established in
24 the Treasury of the United States a fund, to be
25 known as the Built to Last Stamp Fund.

1 (2) ASSETS.—The Built to Last Stamp Fund
2 shall consist of the following:

3 (A) Amounts deposited under subsection
4 (b)(2).

5 (B) Such amounts as are appropriated or
6 otherwise made available to the fund.

7 (3) AVAILABILITY.—Amounts in the Built to
8 Last Stamp Fund shall remain available to the Sec-
9 retary to carry out sections 5 and 6 of this Act until
10 expended.

11 **SEC. 5. PRIZE COMPETITIONS.**

12 (a) IN GENERAL.—The Secretary may carry out a
13 program to award prizes competitively under section 24
14 of the Stevenson-Wydler Technology Innovation Act of
15 1980 (15 U.S.C. 3719), for the purpose described in sub-
16 section (b).

17 (b) PURPOSE.—The purpose described in this sub-
18 section is to stimulate innovation to advance coastal risk
19 reduction and resilience measures as follows:

20 (1) Natural features, including dunes, reefs,
21 and wetlands.

22 (2) Nature-based features, including beach
23 nourishment, dune restoration, wetland and other
24 coastal habitat restoration, and living shoreline con-
25 struction.

1 (3) Nonstructural measures, including flood
2 proofing of structures, flood warning systems, and
3 elevated development.

4 **SEC. 6. CATALOG OF RESEARCH ON APPLICABLE COASTAL**
5 **RISK REDUCTION AND RESILIENCE MEAS-**
6 **URES.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Secretary, acting
9 through the Administrator, shall—

10 (1) identify all Department of Commerce re-
11 search activities regarding applicable coastal risk re-
12 duction and resilience measures;

13 (2) consult with the heads of other Federal
14 agencies to identify what activities, if any, those
15 Federal agencies are conducting regarding applicable
16 coastal risk reduction and resilience measures;

17 (3) evaluate the effectiveness of the activities
18 identified under paragraphs (1) and (2); and

19 (4) appoint one or more officers or employees of
20 the National Oceanic and Atmospheric Administra-
21 tion to liaise with non-Federal entities conducting
22 research related to applicable coastal risk reduction
23 and resilience measures in order to eliminate
24 redundancies, cooperate for common climate re-

1 search goals, and to make research findings readily
2 available to the public.

3 (b) DEFINITION OF APPLICABLE COASTAL RISK RE-
4 Duction AND RESILIENCE MEASURES.—In this section,
5 the term “applicable coastal risk reduction and resilience
6 measures” means natural features, nature-based features,
7 or nonstructural measures.

8 **SEC. 7. GRANTS TO COASTAL STATES FOR ESTABLISHMENT**
9 **OF REVOLVING FUNDS.**

10 (a) CAPITALIZATION GRANTS.—

11 (1) IN GENERAL.—The Secretary, acting
12 through the Administrator, shall award capitaliza-
13 tion grants to each coastal State for the purpose of
14 establishing a community resilience revolving fund
15 under subsection (b) to carry out the activities de-
16 scribed in paragraph (3) of that subsection.

17 (2) SCHEDULE OF GRANT PAYMENTS.—The
18 Administrator shall pay to the coastal State the
19 amount of each grant to be made to the coastal
20 State under paragraph (1) in quarterly installments.

21 (3) AGREEMENTS.—To receive a capitalization
22 grant under paragraph (1), a coastal State shall
23 enter into an agreement with the Administrator
24 that—

1 (A) the coastal State will accept grant pay-
2 ments with funds to be made available under
3 paragraph (1) and will deposit all such pay-
4 ments in the community resilience revolving
5 fund established by the coastal State under sub-
6 section (b);

7 (B) the coastal State will deposit in the
8 fund from State moneys an amount equal to at
9 least 20 percent of the total amount of all cap-
10 italization grants which will be made to the
11 coastal State with funds to be made available
12 under this section on or before the date on
13 which each quarterly grant payment will be
14 made to the coastal State under this paragraph
15 (2) of this subsection;

16 (C) the coastal State will enter into bind-
17 ing commitments to provide assistance in ac-
18 cordance with the requirements of this section
19 in an amount equal to 120 percent of the
20 amount of each such grant payment not later
21 than 1 year after the date of receipt of such
22 grant payment;

23 (D) all funds in the community resilience
24 revolving fund established by the coastal State

1 will be expended in an expeditious and timely
2 manner;

3 (E) in addition to complying with the re-
4 quirements of this section, the coastal State will
5 commit or expend each quarterly grant payment
6 which it will receive under this subsection in ac-
7 cordance with laws and procedures applicable to
8 the commitment or expenditure of revenues of
9 the coastal State;

10 (F) the coastal State will use accounting,
11 audit, and fiscal procedures conforming to gen-
12 erally accepted government accounting stand-
13 ards;

14 (G) the coastal State will require as a con-
15 dition of making a loan or providing other as-
16 sistance from the community resilience revolv-
17 ing fund established by the coastal State that
18 the recipient of such assistance will maintain
19 project accounts in accordance with generally
20 accepted government accounting standards, in-
21 cluding standards relating to the reporting of
22 infrastructure assets;

23 (H) the coastal State will make annual re-
24 ports to the Administrator on the actual use of
25 funds;

1 (I) the coastal State will establish, main-
2 tain, invest, and credit the community resilience
3 revolving fund established by the coastal State
4 with repayments, such that the fund balance
5 will be available in perpetuity for activities
6 under this section;

7 (J) any fees charged by the coastal State
8 to recipients of assistance that are considered
9 program income will be used for the purpose of
10 financing the cost of administering the commu-
11 nity resilience revolving fund established by the
12 coastal State or financing projects or activities
13 eligible for assistance from the community resil-
14 ience revolving fund;

15 (K) the coastal State will require as a con-
16 dition of providing assistance to a municipality
17 or intermunicipal, interstate, or State agency
18 that the recipient of such assistance certify, in
19 a manner determined by the Governor of the
20 coastal State, that the recipient has studied and
21 evaluated the sustainability of the processes,
22 materials, techniques, and technologies for car-
23 rying out the proposed project or activity for
24 which assistance is sought under this section;
25 and

1 (L) a contract to be carried out using
2 funds directly made available by a capitalization
3 grant under this section for program manage-
4 ment, construction management, feasibility
5 studies, preliminary engineering, design, engi-
6 neering, surveying, mapping, or architectural
7 related services shall be negotiated in the same
8 manner as a contract for architectural and en-
9 gineering services is negotiated under chapter
10 11 of title 40, United States Code, or an equiv-
11 alent State qualifications-based requirement (as
12 determined by the Governor of the coastal
13 State).

14 (b) COMMUNITY RESILIENCE REVOLVING FUNDS.—

15 (1) ESTABLISHMENT.—Before a coastal State
16 may receive a capitalization grant with funds made
17 available under subsection (a)(1), the coastal State
18 shall first establish a community resilience revolving
19 fund which complies with the requirements of this
20 section.

21 (2) ADMINISTRATION.—Each coastal State
22 community resilience revolving fund shall be admin-
23 istered by an instrumentality of the coastal State
24 with such powers and limitations as may be required

1 to operate such fund in accordance with the require-
2 ments and objectives of this section.

3 (3) USE OF FUNDS.—The amounts of funds
4 available to each coastal State community resilience
5 revolving fund shall be used only for providing finan-
6 cial assistance to any municipality or intermunicipal,
7 interstate, or State agency—

8 (A) for the completion of a vulnerability
9 assessment;

10 (B) for the protection of natural flood risk
11 mitigation features, including land acquisition
12 from willing sellers;

13 (C) for the construction of natural features
14 or nature-based features, including beach nour-
15 ishment and dune restoration;

16 (D) for the implementation of a regional
17 sediment management program;

18 (E) for the development and implementa-
19 tion of a shoreline conservation and manage-
20 ment plan;

21 (F) for the restoration, repair, or replace-
22 ment of wetlands and living shorelines;

23 (G) for other measures to prevent, man-
24 age, mitigate, or adapt to shoreline erosion,
25 saltwater intrusion, nuisance flooding, sea level

1 rise, and other coastal hazards related to cli-
2 mate change;

3 (H) to carry out nonstructural measures to
4 mitigate flood risk; and

5 (I) to plan, develop, and obtain financing
6 for eligible projects under this subsection, in-
7 cluding planning, design, and associated
8 preconstruction activities.

9 (4) ISSUANCE OF LOANS.—Except as otherwise
10 limited by State law, a community resilience revolv-
11 ing fund of a coastal State under this section may
12 be used only—

13 (A) to make loans, on the condition that—

14 (i) such loans are made at or below
15 market interest rates, including interest
16 free loans, at terms not to exceed the less-
17 er of 30 years and the projected useful life
18 (as determined by the coastal State) of the
19 project to be financed with the proceeds of
20 the loan;

21 (ii) annual principal and interest pay-
22 ments will commence not later than 1 year
23 after the date of completion of any project
24 and all loans will be fully amortized upon
25 the expiration of the term of the loan;

1 (iii) the recipient of a loan will estab-
2 lish a dedicated source of revenue for re-
3 payment of loans; and

4 (iv) the fund will be credited with all
5 payments of principal and interest on all
6 loans;

7 (B) to buy or refinance the debt obligation
8 of municipalities and intermunicipal and inter-
9 state agencies within the coastal State at or
10 below market rates, where such debt obligations
11 were incurred after January 1, 2013;

12 (C) to guarantee, or purchase insurance
13 for, local obligations where such action would
14 improve credit market access or reduce interest
15 rates;

16 (D) as a source of revenue or security for
17 the payment of principal and interest on rev-
18 enue or general obligation bonds issued by the
19 coastal State if the proceeds of the sale of such
20 bonds will be deposited in the community resil-
21 ience revolving fund;

22 (E) to provide loan guarantees for similar
23 revolving funds established by municipalities or
24 intermunicipal agencies;

1 (F) to earn interest on community resil-
2 ience revolving fund accounts; and

3 (G) for the reasonable costs of admin-
4 istering the community resilience revolving fund
5 and conducting activities under this section, ex-
6 cept that such amounts shall not exceed 3 per-
7 cent of all grant awards to such fund under this
8 section, plus the amount of any fees collected
9 by the coastal State for such purpose regardless
10 of the source.

11 (5) SUBSIDIZATION.—

12 (A) IN GENERAL.—In any case in which a
13 coastal State provides assistance to a munici-
14 pality or an intermunicipal, interstate, or State
15 agency, the coastal State may provide addi-
16 tional subsidization, including forgiveness of
17 principal and negative interest loans—

18 (i) to benefit a municipality or inter-
19 municipal agency that—

20 (I) meets the affordability cri-
21 teria of the coastal State established
22 under subparagraph (B); or

23 (II) does not meet the afford-
24 ability criteria of the coastal State if
25 the recipient—

1 (aa) seeks additional sub-
2 sidization to benefit individual
3 ratepayers in the residential user
4 rate class;

5 (bb) demonstrates to the
6 coastal State that such rate-
7 payers will experience a signifi-
8 cant hardship from the increase
9 in rates necessary to finance the
10 project or activity for which as-
11 sistance is sought; and

12 (cc) ensures, as part of an
13 assistance agreement between the
14 coastal State and the recipient,
15 that the additional subsidization
16 provided under this paragraph is
17 directed through a user charge
18 rate system (or other appropriate
19 method) to such ratepayers; or

20 (ii) to implement a process, material,
21 technique, or technology—

22 (I) to address resilience goals; or

23 (II) to encourage sustainable
24 project planning, design, and con-
25 struction.

1 (B) AFFORDABILITY CRITERIA.—

2 (i) IN GENERAL.—Not later than Jan-
3 uary 1, 2020, and after providing notice
4 and an opportunity for public comment, a
5 coastal State shall establish affordability
6 criteria to assist in identifying municipali-
7 ties that would experience a significant
8 hardship raising the revenue necessary to
9 finance a project or activity eligible for as-
10 sistance under paragraph (3) if additional
11 subsidization is not provided.

12 (ii) BASIS OF CRITERIA.—The criteria
13 under clause (i) shall be based on income
14 and unemployment data, population
15 trends, and other data determined relevant
16 by the coastal State, including whether the
17 project or activity is to be carried out in an
18 economically distressed area, as described
19 in section 301 of the Public Works and
20 Economic Development Act of 1965 (42
21 U.S.C. 3161).

22 (C) ADDITIONAL SUBSIDIZATION.—

23 (i) IN GENERAL.—A coastal State
24 may provide additional subsidization in a
25 fiscal year under this paragraph only if the

1 total amount appropriated for making cap-
2 italization grants to all coastal States
3 under this section for the fiscal year ex-
4 ceeds \$500,000,000.

5 (ii) LIMITATION.—Except as provided
6 in clause (iii), a coastal State may use not
7 more than 30 percent of the total amount
8 received by the coastal State in capitaliza-
9 tion grants under subsection (b) for a fis-
10 cal year for providing additional subsidiza-
11 tion under this paragraph.

12 (iii) EXCEPTION.—If, in a fiscal year,
13 the amount appropriated for making cap-
14 italization grants to all coastal States
15 under this section exceeds \$500,000,000
16 by a percentage that is less than 30 per-
17 cent, clause (ii) shall be applied by sub-
18 stituting that percentage for 30 percent.

19 (c) COMPLIANCE.—

20 (1) IN GENERAL.—If the Administrator deter-
21 mines that a coastal State has not complied with its
22 agreement with the Administrator under subsection
23 (a)(3) or any other requirement of this section, the
24 Administrator shall notify the coastal State of such
25 noncompliance and the necessary corrective action.

1 (2) WITHHOLDING PAYMENTS.—If a coastal
2 State does not take corrective action within 60 days
3 after the date the coastal State receives notification
4 of such action under paragraph (1), the Adminis-
5 trator shall withhold additional payments to the
6 coastal State until the Administrator is satisfied
7 that the coastal State has taken the necessary cor-
8 rective action.

9 (3) REALLOTMENT OF PAYMENTS.—If the Ad-
10 ministrator is not satisfied that adequate corrective
11 actions have been taken by the coastal State not
12 later than 12 months after the coastal State is noti-
13 fied of such actions under paragraph (1), the pay-
14 ments withheld from the coastal State by the Ad-
15 ministrator under paragraph (2) shall be made avail-
16 able for reallocation in accordance with the most re-
17 cent formula for allotment of funds under this sec-
18 tion.

19 (d) FISCAL CONTROL AND AUDITING PROCE-
20 DURES.—Each coastal State electing to establish a com-
21 munity resilience revolving fund under this section shall
22 establish fiscal controls and accounting procedures suffi-
23 cient to assure proper accounting during appropriate ac-
24 counting periods for—

25 (1) payments received by the fund;

1 (2) disbursements made by the fund; and

2 (3) fund balances at the beginning and end of
3 the accounting period.

4 (e) ANNUAL FEDERAL AUDITS.—Not less frequently
5 than once each year, the Administrator shall conduct or
6 require each coastal State to have independently con-
7 ducted reviews and audits as may be deemed necessary
8 or appropriate by the Administrator to carry out the objec-
9 tives of this section. Audits of the use of funds deposited
10 in the community resilience revolving fund established by
11 such coastal State shall be conducted in accordance with
12 the auditing procedures of the Government Accountability
13 Office, including chapter 75 of title 31, United States
14 Code.

15 (f) INTENDED USE PLAN.—After providing for pub-
16 lic comment and review, each coastal State shall annually
17 prepare a plan identifying the intended uses of the
18 amounts available to its community resilience revolving
19 fund. Such intended use plan shall include—

20 (1) a list of those projects for construction;

21 (2) a description of the short- and long-term
22 goals and objectives of its community resilience re-
23 volving fund;

1 (3) information on the activities to be sup-
2 ported, terms of financial assistance, and commu-
3 nities served; and

4 (4) the criteria and method established for the
5 distribution of funds.

6 (g) ANNUAL REPORT.—Beginning the first fiscal
7 year after the receipt of payments under this section and
8 each fiscal year thereafter, each coastal State shall provide
9 a report to the Administrator describing how the coastal
10 State has met the goals and objectives for the previous
11 fiscal year as identified in the plan prepared for the pre-
12 vious fiscal year pursuant to subsection (f).

13 (h) ANNUAL FEDERAL OVERSIGHT REVIEW.—

14 (1) IN GENERAL.—Not less frequently than
15 once each year, the Administrator shall conduct an
16 oversight review of each coastal State plan prepared
17 under subsection (f), each coastal State report pre-
18 pared under subsection (g), and other such materials
19 as are considered necessary and appropriate in car-
20 rying out the purposes of this section.

21 (2) AVAILABILITY OF RECORDS.—After reason-
22 able notice by the Administrator to the coastal State
23 or the recipient of a loan from a community resil-
24 ience revolving fund, the coastal State or loan recipi-
25 ent shall make available to the Administrator such

- 1 records as the Administrator reasonably requires to
- 2 review and determine compliance with this section.

○