



# NIST Technical Note NIST TN 2136-3

## ICSSC Biennial Progress Report for 2022



### Report on Progress Towards Implementation of Executive Order 13717: Establishing a Federal Earthquake Risk Management Standard

*Reporting Period: February 2, 2020  
to February 1, 2022*

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## Abstract

Executive Order (EO) 13717: Establishing a Federal Earthquake Risk Management Standard establishes minimum seismic requirements for new and existing buildings that will be constructed, altered, leased, financed, or regulated by the Federal Government. These requirements help to enhance the seismic resilience of agencies by reducing risk to lives of building occupants and improving the probability of continued performance of buildings essential to agency mission following future earthquakes. The EO rescinds EO 12941: Seismic Safety of Existing Federally Owned or Leased Buildings and EO 12699: Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction. The EO requires that agencies whose activities are covered by the order submit a biennial report to the Director of the Office of Management and Budget (OMB) and the Director of the National Institute of Standards and Technology (NIST) on their progress in implementing the order, commencing two years from the date of the order. It is assumed that agencies that are covered by the EO participate on the Interagency Committee on Seismic Safety in Construction (ICSSC). NIST, as the lead agency of the National Earthquake Hazards Reduction Program (NEHRP) and thus Secretariat of the ICSSC, is required by the EO to summarize agency compliance of the order in the biennial NEHRP report to Congress. This report serves as the summary of agency progress in implementing the EO and covers the biennial reporting period of February 2, 2020 to February 1, 2022. Sixteen reports covering sixty-six agencies (department, agency, bureau, office, institute, etc.) were received by NIST for this reporting period.

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## List of Abbreviations

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ASCE	American Society of Civil Engineers
DOE	Department of Energy
EO	Executive Order
EPA	Environmental Protection Agency
ER	Engineering Regulations
GCR	Grant/Contractor Report
GSA	General Services Administration
IBC	International Building Code
IC	Intelligence Community
ICC	International Code Council
ICSSC	Interagency Committee on Seismic Safety in Construction
IEBC	International Existing Building Code
IRC	International Residential Code
NA	Not Applicable
NEHRP	National Earthquake Hazards Reduction Program
NIST	National Institute of Standards and Technology
NP	Not Provided
NPS	National Park Service
NRP	No Report Provided
NSF	National Science Foundation
ODNI	Office of the Director of National Intelligence
OMB	Office of Management and Budget
RP	Recommend Practice
SEI	Structural Engineering Institute
SSAC	Seismic Safety Action Classification System for Buildings
TN	Technical Note
TVA	Tennessee Valley Authority
UFC	Unified Facilities Criteria
USACE	U.S. Army Corp of Engineers
USBR	U.S. Bureau of Reclamation
USC	U.S. Code
USFWS	U.S. Fish and Wildlife Service

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## Executive Summary

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Executive Order (EO) 13717: *Establishing a Federal Earthquake Risk Management Standard* establishes minimum seismic requirements for new and existing buildings that will be constructed, altered, leased, financed, or regulated by the Federal Government. These requirements help to enhance the seismic resilience of agencies by reducing risk to lives of building occupants and improving the probability of continued performance of buildings essential to agency mission following future earthquakes. The EO rescinds EO 12941: *Seismic Safety of Existing Federally Owned or Leased Buildings* and EO 12699: *Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction*.

The EO requires that agencies whose activities are covered by the order submit a biennial report to the Director of the Office of Management and Budget (OMB) and the Director of the National Institute of Standards and Technology (NIST) on their progress in implementing the order, commencing two years from the date of the order. It is assumed that agencies whose activities are covered by the EO participate on the Interagency Committee on Seismic Safety in Construction (ICSSC). NIST, as the lead agency of the National Earthquake Hazards Reduction Program (NEHRP) and thus the secretariat of the ICSSC, is required by the EO to summarize agency compliance of the order in the biennial NEHRP report to Congress. To support this requirement, NIST provides a biennial data request template to the ICSSC so that NIST can use the responses to develop an independent report that can be referenced in the NEHRP reports.

This report serves as the summary of agency progress in implementing the EO and covers the biennial reporting period of February 2, 2020 to February 1, 2022. Sixteen reports covering sixty-six agencies (department, agency, bureau, office, institute, etc.) were received by NIST for this reporting period. All summary reports and their reporting periods are provided in the following table.

EO Reporting Period	Covered Dates	NIST Report Number
1	February 2, 2016 – February 1, 2018	NIST TN 2136-1 (NIST 2021)
2	February 2, 2018 – February 1, 2020	NIST TN 2136-2 (NIST 2023)
3 (this report)	February 2, 2020 – February 1, 2022	NIST TN 2136-3

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## 1. Introduction

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Executive Order (EO) 13717: *Establishing a Federal Earthquake Risk Management Standard* establishes minimum seismic requirements for new and existing buildings that will be constructed, altered, leased, financed, or regulated by the Federal Government. These requirements help enhance the seismic resilience of agencies by reducing risk to lives of building occupants and improving the probability of continued performance of buildings essential to agency mission following future earthquakes. Shortly after the EO was released, the National Institute of Standards and Technology (NIST) published interpretation and implementing guidance of the EO in NIST Technical Note (TN) 1922: *ICSSC Recommended Practice (RP) 9, Implementation Guidelines for Executive Order 13717 – Establishing a Federal Earthquake Risk Management Standard* (NIST 2017), hereafter referred to as RP 9. A copy of the EO is included in RP 9.

The EO mandates the following:

- Agencies shall ensure that the design and construction of a new federal building or an alteration to an existing federal building is in accord with appropriate earthquake-resistant design and construction codes and standards.
- Agencies shall ensure that they lease a building (whether new or existing), or space within, that has been, or is being, designed and constructed in accord with the appropriate earthquake-resistant design and construction standards, to the extent permitted by law.
- Agencies responsible for financing new building construction or acquisition of a newly constructed building shall consider updating their regulations to require the use of earthquake-resistant design and construction standards consistent with those adopted for constructing a new federal building.
- Agencies responsible for regulating the structural safety of a new building shall consider updating their regulations to require the use of earthquake-resistant design and construction standards consistent with those adopted for constructing a new federal building.

The base performance objective in seismic design codes currently in use is founded on avoiding loss of life and life-threatening injury to the building occupants by designing the building to have an acceptably low risk of total or partial collapse. These codes further require *essential buildings* (e.g., hospitals and other emergency use buildings) and *high occupancy buildings* (e.g., schools and other shelter-in-place buildings) to be designed to an enhanced performance objective that accounts for some degree of post-earthquake functionality. Achieving this enhanced performance for *other* buildings would support continuity of agency mission following an earthquake, in addition to increased protection of building occupants during an earthquake. The EO encourages agencies to consider constructing or retrofitting its buildings to address an enhanced performance objective to help agencies achieve higher resiliency by increasing the likelihood of continued functionality of buildings essential to agency mission following a future earthquake.

The EO requires that agencies whose activities are covered by the order submit a biennial report to the Director of the Office of Management and Budget (OMB) and the Director of the National

Institute of Standards and Technology (NIST) on their progress in implementing the order, commencing two years from the date of the order. It is assumed that agencies whose activities are covered by the EO participate on the Interagency Committee on Seismic Safety in Construction (ICSSC). NIST, as the lead agency of the National Earthquake Hazards Reduction Program (NEHRP) and thus the secretariat of the ICSSC, is required by the EO to summarize agency compliance of the order in the biennial NEHRP report to Congress. To support this requirement, NIST provides a biennial data request template to the ICSSC so that NIST can use the responses to develop an independent report that can be referenced in the NEHRP reports.

This report serves as the summary of agency progress in implementing the EO and covers the biennial reporting period of February 2, 2020 to February 1, 2022. Sixteen reports covering sixty-six agencies (department, agency, bureau, office, institute, etc.) were received by NIST for this reporting period. All summary reports and their reporting periods are provided in the following table.

<b>EO Reporting Period</b>	<b>Covered Dates</b>	<b>NIST Report Number</b>
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2	February 2, 2018 – February 1, 2020	NIST TN 2136-2 (NIST 2023)
3 (this report)	February 2, 2020 – February 1, 2022	NIST TN 2136-3

## 2. Agency Summaries

### 2.1. EO Requirements

The requirements summarized below are derived from Sections 2 and 3 of the EO.

#### 1) New Building Construction for which Programming has Not Been Initiated prior to February 2, 2016

By May 2, 2016, each agency shall ensure that the design and construction of a new building complies with the earthquake-resistant design and construction provisions of the 2015 editions of the International Building Code (IBC) or the International Residential Code (IRC), or equivalent building codes, and their referenced standards. The IBC and IRC are considered nationally recognized model building codes promulgated by the International Code Council (ICC).

Each agency shall determine whether the new version of the adopted building code is nationally recognized for the purposes of 40 U.S.C. 3312(b), as expeditiously as practicable, but not later than two years after the release of the new version. Table 1 outlines the referenced ICC codes for new buildings, the relevant adoption dates, and the applicability to which biennial agency reporting period.

Table 1. Codes and standards adoption schedule for new building construction

EO Reporting Period	Covered Dates	New Buildings		
		Code/Standard	Earliest Adoption Date	Adoption Deadline
1	Feb. 2, 2016 – Feb. 1, 2018	2015 IBC/IRC	before reporting period	May 2, 2016
		2018 IBC/IRC	Aug. 31, 2017	next reporting period
2	Feb. 2, 2018 – Feb. 1, 2020	2015 IBC/IRC	before reporting period	<i>Terminated</i> Aug. 31, 2019
		2018 IBC/IRC	before reporting period	Aug. 31, 2019
3	Feb. 2, 2020 – Feb. 1, 2022	2018 IBC/IRC	before reporting period	before reporting period
		2021 IBC 2021 IRC	Oct. 23, 2020 Jan. 29, 2021	next reporting period

#### 2) Alterations to an Agency Owned Existing Building for which Programming has Not Been Initiated prior to February 2, 2016

By May 2, 2016, each agency shall ensure that the seismic evaluation of an agency-owned existing building and any associated design and construction of a retrofit strategy as part of the alteration complies with the earthquake-resistant design and construction provisions of the *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings (Standards)* maintained by the Interagency Committee on Seismic Safety in Construction (ICSSC) and its

referenced standards. The current version of the *Standards* is ICSSC Recommended Practice (RP) 8, hereafter referred to as RP 8, and published as NIST GCR 11-917-12 (NIST 2011).

All agencies shall adopt subsequent editions of the *Standards* as expeditiously as practicable, but not later than two years following their issuance. Table 2 outlines the referenced *Standards*, the relevant adoption dates, and the applicability to which biennial agency reporting period.

Table 2. Codes and standards adoption schedule for existing building alterations

EO Reporting Period	Covered Dates	Existing Buildings		
		Code/Standard	Earliest Adoption Date	Adoption Deadline
1	Feb. 2, 2016 – Feb. 1, 2018	RP 8	before reporting period	May 2, 2016
2	Feb. 2, 2018 – Feb. 1, 2020	RP 8	before reporting period	before reporting period
3	Feb. 2, 2020 – Feb. 1, 2022	RP 8	before reporting period	before reporting period

**3) Leasing a Building, or Space in a Building, for Agency Occupancy after February 2, 2016**

Each agency that leases an existing building or space within shall ensure that the building complies with the *Standards* (see Item 2 above).

Each agency that will lease a new building being constructed or space within shall ensure that the design and construction complies with the earthquake-resistant design and construction provisions of the IBC or the IRC, or equivalent building codes, and their referenced standards (see Item 1 above).

All agencies shall adopt subsequent editions of the *Standards* or of the adopted building code as practicable, but not later than two years following their issuance.

**4) Federal Assistance Programs for New Buildings after February 2, 2016**

Each agency responsible for financing, through federal grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, new building construction or acquisition of a newly constructed building shall consider updating their regulations for providing the assistance to be consistent with that required for an agency-owned new building to assure appropriate consideration of earthquake safety (see Item 1 above).

**5) Federally Regulated New Buildings after February 2, 2016**

Each agency responsible for regulating the structural safety of a new building shall consider updating their regulations to require the use of earthquake-resistant design and construction standards for the new building consistent with that required for an agency-owned new building (see Item 1 above).



### 2.1.1. Agency Representation

Activities to coordinate communication and agency compliance are supported by the representation of each agency on the ICSSC. The EO directs each agency covered by the order to designate one or more Seismic Safety Coordinator(s) to serve as point(s) of contact for agency compliance with the EO and to represent the agency in the ICSSC. A list of agencies on the ICSSC and their designated Seismic Safety Coordinators and at-large members is provided in Appendix B.

## 2.2. Summary of Agency Reporting Covering 2/2/2020–2/1/2022

Table 3 identifies agencies (department, agency, bureau, office, institute, etc.) that currently participate on the ICSSC. The EO reconstitutes the ICSSC, requiring that the group be composed of representatives from all agencies that are responsible for any of the following activities:

1. design and construction of a new building;
2. design and construction of an alteration to an existing building;
3. leasing space in an existing building;
4. leasing space in a new building;
5. financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building; or
6. regulating the structural safety of a new building.

It is assumed that agencies whose activities are covered by the EO participate on the ICSSC. Sixteen reports covering sixty-six agencies were received by NIST for this reporting period, see Table 3.

Currently within the executive branch, there are 15 departments with 236 subsidiary organizations and 66 independent agencies with 39 subsidiary organizations<sup>1</sup>. First, not every agency is responsible for activities covered by the EO. Some agencies do not own buildings and do not have independent leasing authority or conditional delegation of leasing authority to lease space in an existing or new building. These agencies use occupancy agreements to occupy space in a building that is owned by or leased to another agency. Agencies who solely use these agreements generally do not participate on the ICSSC and thus may not have a need to submit data on their EO compliance, as the agency who owns or leases the space is required to comply with the EO. Second, the EO (and the ICSSC) is focused on seismic safety and there are agencies who may be responsible for one or more of the activities covered by the EO but their buildings are not at risk for damage from an earthquake. Similarly, these agencies generally may not participate on the ICSSC. Third, there are agencies that are exempt from the requirements of the EO. While these agencies may participate on the ICSSC, they may not have a need to submit data on their EO compliance. For example, the agency's building portfolio primarily resides outside the United States and its territories and possessions. Lastly, some agencies may not yet be familiar with the EO, for example, due to resource limitations. Some agencies can centralize their EO reporting effort within their facility management, engineering/construction, or real property groups, whereas other agencies may require coordination among multiple unrelated groups to develop their compliance data. NIST is continually interacting with and seeking out agencies to verify the applicability of the EO to their agency and, if so, assisting them to participate on the ICSSC to support their compliance with the EO and general seismic safety programs.

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<sup>1</sup> Data compiled from <https://www.usa.gov/branches-of-government>

Table 3. ICSSC Representation and Agency Report Status

Name of Parent ICSSC Organization	Known ICSSC Subsidiary	Report Submitted to NIST	Table
Central Intelligence Agency <sup>a</sup>		<i>Included in ODNI</i>	
Department of Agriculture	Forest Service (FS) Rural Development (RD)/Rural Utility Service (RUS) Animal and Plant Health Inspection Service (APHIS) Agricultural Marketing Service (AMS) National Appeals Division (NAD) Agricultural Research Service (ARS) Farm Production and Conservation (FPAC)	Received <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i>	Table 5
Department of Commerce	National Institute of Standards and Technology National Oceanic and Atmospheric Administration	Received <i>Included in parent</i> <i>Included in parent</i>	Table 6
Department of Defense	U.S. Army Corps of Engineers (USACE) Department of the Navy Department of the Air Force Department of the Army Defense Intelligence Agency <sup>a</sup> National Geospatial-Intelligence Agency <sup>a</sup> National Reconnaissance Agency <sup>a</sup> National Security Agency <sup>a</sup>	Received Received <i>see USACE</i> <i>Included in ODNI</i> <i>Included in ODNI</i> <i>Included in ODNI</i> <i>Included in ODNI</i>	Table 7 Table 8
Department of Education		<i>Correspondence via email</i>	Table 9
Department of Energy	Bonneville Power Administration National Nuclear Security Administration National Training Center Naval Reactors Office of Energy Efficiency and Renewable Energy Office of Environment and Management	Received <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i>	Table 10

Table 3. ICSSC Representation and Agency Report Status (cont.)

Name of Parent ICSSC Organization	Known ICSSC Subsidiary	Report Submitted to NIST	Table
	Office of Fossil Energy Office of Legacy Management Office of Nuclear Energy Office of Science Southwestern Power Administration Western Area Power Administration	<i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i>	
Department of Health and Human Services			
Department of Homeland Security	U.S. Coast Guard Federal Emergency Management Agency		
Department of Housing and Urban Development			
Department of the Interior	U.S. Bureau of Reclamation U.S. Fish and Wildlife Service U.S. Geological Survey National Park Service Bureau of Land Management Bureau of Indian Affairs	Received <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i>	Table 11
Department of Justice	Federal Bureau of Prisons Federal Bureau of Investigation U.S. Marshals Service U.S. Drug Enforcement Administration Bureau of Alcohol, Tobacco, Firearms and Explosives	Received <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i>	Table 12
Department of Labor		Received	Table 13
Department of the Treasury			
Department of State			
Department of Transportation	Federal Aviation Administration Federal Highway Administration Federal Motor Carrier Safety Administration Federal Railroad Administration Federal Transit Administration Maritime Administration	Received <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i> <i>Included in parent</i>	Table 14

Table 3. ICSSC Representation and Agency Report Status (cont.)

Name of Parent ICSSC Organization	Known ICSSC Subsidiary	Report Submitted to NIST	Table
	National Highway Traffic Safety Administration	<i>Included in parent</i>	
	Office of the Inspector General	<i>Included in parent</i>	
	Pipeline and Hazardous Materials Administration	<i>Included in parent</i>	
	Great Lakes Saint Lawrence Seaway Development Corporation	<i>Included in parent</i>	
Department of Veterans Affairs		Received	Table 15
	Veterans Health Administration	<i>Included in parent</i>	
	Veterans Benefits Administration	<i>Included in parent</i>	
	National Cemetery Administration	<i>Included in parent</i>	
Environmental Protection Agency			
Export-Import Bank of the United States			
General Services Administration		Received	Table 16
National Aeronautics and Space Administration			
Nuclear Regulatory Commission		Received	Table 17
National Science Foundation			
Office of the Director of National Intelligence (ODNI) <sup>a</sup>		Received	Table 18
Office of Government Ethics			
Presidio Trust			
Small Business Administration		Received	Table 19
Tennessee Valley Authority		Received	Table 20

Notes:

- a. Grouping of Department of Defense subsidiaries and other independent agencies that are member organizations of the Intelligence Community (or IC) overseen by the Office of the Director of National Intelligence.

### 2.2.1. Biennial Reporting Template Used by Agencies

Agencies were requested to submit data on their EO compliance using a data request template developed by NIST based on the guidance provided in RP 9. This template is provided in Appendix A. This reporting template is intended to standardize the data provided by agencies reporting their progress in implementing the EO and be a data management tool to support an agency’s evolving seismic risk management program. The primary outcome of the template is

information needed to summarize that an agency's policies comply with the EO. Any additional information provided is not summarized in this report.

Table 4 provides the sample table illustrating how an agency’s reported policy information is summarized. The table includes the six categories covered by the EO (see Section 2.2) and whether they are applicable to an agency, and, if so, whether an agency’s policies comply with the EO (see Section 2.1).

For compliance reporting, the following are interpretations or clarifications of terms defined in Section 6 of the EO which are used to help standardize agency reporting:

- **Building** means “any structure, fully or partially enclosed, used or intended for sheltering persons or property”. New and existing buildings are defined as follows:
  - **New Building:** Any building during this reporting period in at least one of three phases:
    - 1) programming (see definition below)
    - 2) construction
    - 3) award of Certificate of Occupancy (or equivalent authorization)
  - **Existing Building:** Any building with a Certificate of Occupancy (or equivalent authorization) awarded prior to this reporting period.
- **Programming** means “developing and validating project assumptions, scope, budgets, and implementation strategy for a building”.
  - Programming is limited to those buildings for which a contract for design/engineering services has been issued to a design professional, but for which construction has not yet been approved/awarded.
- **Alteration of an existing building** means an action that alters<sup>2</sup> a building through “(A) preliminary planning, engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the alteration of a public building; and (B) repairing, remodeling, improving, or extending, or other changes in, a public building”.
  - Actions identified in (A) are included in programming so that alteration focuses on buildings undergoing physical or use and occupancy modifications addressed in (B).

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<sup>2</sup> The EO references 40 U.S.C. 3301.(a).1 to define ‘alter’.

Table 4. Sample Summary of Agency Policy Compliance

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

In summarizing agency reported information, NIST does not interpret whether an agency policy complies with the EO. Through the ICSSC, NIST provides guidance for the agencies to determine if their policies comply with the EO. In so doing, agencies should be aware that EO 13717 rescinds EO 12941: *Seismic Safety of Existing Federally Owned or Leased Buildings* and EO 12699: *Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction*, which may be referenced in the *Code of Federal Regulations*. In addition, provisions in the *Code of Federal Regulations* may reference an edition of the *NEHRP Recommended Seismic Provisions for New Buildings and Other Structures* as either the base code or its equivalence to other codes. Since 2009, this document is no longer developed in a manner permitting it to be used a standalone code. As such, provisions in the *Code of Federal Regulations* if applicable to an agency policy should be reviewed for compliance with the EO.

### **2.2.2. Agency Summaries**

NIST summarized the information received from each agency and/or subsidiary as shown in



Table 4. Any data that is *not provided* in the report is marked as NP. Any notes or recommendations by NIST to improve subsequent reporting can be found below the table for each reporting agency.

Table 5. Department of Agriculture (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: DA/OO and FPAC: NA. APHIS and FS: Yes. ARS: Partial. ARS Design Manual does require that all new construction is designed to comply with the most current IBC. However, ARS is currently in the process to update its design manual with EO 13717 and the latest ICSSC RP standard. NAD and RD/RUS: NP
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Additional Notes: APHIS and FPAC: Yes. ARS: Partial. ARS modernization projects incorporate seismic improvements when appropriate. DA/OO and FS: No. DA/OO will develop a seismic plan in accordance with the most recent seismic standards. DA/OO construction currently consists mostly of minor alterations, e.g., repairs to existing systems and structures. FS will review and update its Forest Service policy. The update will be included in FS wide policy to support compliance with the latest edition of the standards. NAD and RD/RUS: NP

Table 5. Department of Agriculture (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: APHIS, ARS, FPAC, and FS: Yes. NAD and RD/RUS: NP
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: APHIS, ARS, FPAC, and FS: Yes. NAD and RD/RUS: NP

Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: APHIS, ARS, DA/OO, FPAC, and FS: NA. RD/RUS: Partial. Regulations 7 CFR 1924, 7 CFR 1942, and 7 CFR 1780, which respectively cover construction requirements for the housing, community facilities, and water and waste programs, are currently undergoing revisions. A requirement to comply with IBC and/or IRC codes is to be included in all three regulations. 7 CFR 1792, which specifically addresses seismic requirements for the Rural Utilities Service is not yet on the docket for revisions; however, it is intended that the codes and standards referenced in that regulation will be updated to comply with the EO. 7 CFR 1924 and 7 CFR 1942 indicate the analysis and design of structural systems and components shall be by a properly licensed professional and certified to be in accordance with applicable requirements of an acceptable model building code. NAD: NP

Table 5. Department of Agriculture (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* Title 7 – Agriculture of the Code of Federal Regulations: Executive Order 12699 as referenced in §1792 – Compliance with Other Federal Statutes, Regulations and Executive Orders, Subpart C – Seismic Safety of Federally Assisted New Building Construction was rescinded by EO 13717. Further, in §1792.103, the NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures is no longer developed as an enforceable building code for seismic design and construction.

Table 6. Department of Commerce (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Contract design specifications include requirements to comply with the International Building Code (IBC), which includes seismic requirements for the applicable region. Commerce will strive to have a more thorough policy in place by the end of CY 2023. This Executive Order’s subject matter expert and sponsor is NIST, which is a strategic part of the Department of Commerce. The Office of Real Property Programs works with the EO sponsor to ensure agency-wide policies meet the requirements.
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Contract design specifications include requirements to comply with the International Building Code (IBC), which include seismic requirements for the applicable region. Commerce will continue to strive to have comprehensive policies by the end of calendar year 2023.
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: As leases expire, new space contracts will require the updated seismic standard. NOAA will utilize standard GSA lease templates for new contracts.
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: DOC utilizes standard GSA standard lease contracts which include appropriate seismic requirements.

Table 6. Department of Commerce (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 7. Department of Defense, U.S. Army Corps of Engineers/Dept. of the Army

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 8. Department of Defense, Dept. of the Navy

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 9. Department of Education

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.



Table 10. Department of Energy (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: There have been recent initiatives within DOE to increase the degree of participation in adopting the latest edition of the IBC and/or IRC codes. Given the DOE has a number of facilities located across the U.S. in seismic zones to include NM, CA, ID, SC, and TX, these DOE facilities must follow the IBC version currently adopted by the state in which the DOE facility is located (IBC-2015, 2018, and/or 2021).
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: There have been recent initiatives within DOE to increase the degree of participation in adopting the latest edition of the IBC and/or IRC codes. Given the DOE has a number of facilities located across the U.S. in seismic zones to include NM, CA, ID, SC, and TX, these DOE facilities must follow the IBC version currently adopted by the state in which the DOE facility is located (IBC-2015, 2018, and/or 2021).

Table 10. Department of Energy (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: There have been recent initiatives within DOE to increase the degree of participation in adopting the latest edition of the IBC and/or IRC codes. Given the DOE has a number of facilities located across the U.S. in seismic zones to include NM, CA, ID, SC, and TX, these DOE facilities must follow the IBC version currently adopted by the state in which the DOE facility is located (IBC-2015, 2018, and/or 2021).
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 11. Department of the Interior (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		<p>Additional Notes: Bureau of Land Management, Bureau of Reclamation, U.S. Fish &amp; Wildlife Service: Yes. Bureau of Indian Affairs (BIA) – Partial – BIA complies with NFPA 5000: <i>Building Construction and Safety Code</i>. BIA’s <i>School Facilities Design Handbook</i> and <i>Justice &amp; Detention Facilities Design and Space Guidelines</i> comply with EO 13717. National Park Service (NPS): Partial. The Denver Service Center (DSC), which serves as the central planning, design, and construction office for the NPS, directs our Architectural and Engineering (A&amp;E) firms performing designs that affect NPS owned buildings to follow the International Code Council (ICC) family of codes including the International Building Code (IBC) and the International Residential Code (IRC), however, the head of the agency has not issued an official policy memo adopting the IBC. The agency formed a building code task group to address this issue and in October of 2017 they issued recommendations to the agency’s leadership which included a recommendation to adopt the ICC family of codes. NPS Leadership is currently reviewing the proposal to adopt the ICC codes formally including a draft policy memo.</p> <p>U.S. Geological Survey (USGS): Partial. The USGS does not have stand-alone written or documented policy that addresses EO 13717; however, the USGS does require that all new construction or renovations comply with applicable and required seismic standards.</p>

Table 11. Department of the Interior (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	<p>Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes: Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, U.S. Fish &amp; Wildlife Service: Yes. National Park Service (NPS): No. The DSC, which serves as the central planning, design, and construction office for the NPS, now directs our A&amp;E firms performing designs that affect NPS owned buildings to follow the <i>Standards of Seismic Safety for Existing Federally Owned and Leased Buildings</i> issued by the ICSSC, however, the head of the agency has not issued an official policy memo adopting the <i>Standards</i>. NPS Leadership is currently reviewing a proposal to adopt the <i>Standards</i> formally including a draft policy memo. U.S. Geological Survey (USGS): Partial. The USGS does not have a bureau-wide policy specific to <i>Standards of Seismic Safety for Existing Federally Owned and Leased Buildings</i> issued by the ICSSC but follows all the construction building codes where the provisions apply.</p>
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	<p>Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes: Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, National Park Service, U.S. Fish &amp; Wildlife Service: Yes. U.S. Geological Survey (USGS): Partial. The USGS does not have a bureau-wide policy specific to <i>Standards of Seismic Safety for Existing Federally Owned and Leased Buildings</i> issued by the ICSSC but follows all the construction building codes where the provisions apply.</p>

Table 11. Department of the Interior (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Bureau of Reclamation – NA. Bureau of Indian Affairs, Bureau of Land Management, National Park Service, U.S. Fish & Wildlife Service: Yes. U.S. Geological Survey (USGS): Partial. The USGS does not have a bureau-wide policy specific to <i>Standards of Seismic Safety for Existing Federally Owned and Leased Buildings</i> issued by the ICSSC but follows all the construction building codes and GSA building codes and standards where the provisions apply.
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 12. Department of Justice (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 13. Department of Labor

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: While the Department of Labor does not have an “agency-wide” policy dealing with seismic and specifically EO 13717, there are seismic requirements within several of the sub agencies most often dealing with federal facilities. Such policies include the reference, awareness, and implementation of EO 13717.
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: While the Department of Labor does not have an “agency-wide” policy dealing with seismic and specifically EO 13717, there are seismic requirements within several of the sub agencies most often dealing with federal facilities. Such policies include the reference, awareness, and implementation of EO 13717.
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: While the Department of Labor does not have an “agency-wide” policy dealing with seismic and specifically EO 13717, there are seismic requirements within several of the sub agencies most often dealing with Federal facilities. Such policies include the reference, awareness, and implementation of EO 13717.
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: While the Department of Labor does not have an “agency-wide” policy dealing with seismic and specifically EO 13717, there are seismic requirements within several of the sub agencies most often dealing with Federal facilities. Such policies include the reference, awareness, and implementation of EO 13717.

Table 13. Department of Labor (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.



Table 14. Department of Transportation (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		<p>Additional Notes: FWHA, FMCSA, FTA, NHTSA, MARAD, PHMSA, OST: NA GLS: Yes. FAA: Partial. Working towards an official agency-wide policy to address the requirements of EO 13717 and seismic projects, in general. We try, agency-wide, to require the use of the latest edition of the IBC/IRC code for seismic design and construction in new Facilities. We are working to establish a more formal process to capture our current project by project seismic activity and compliance. FRA: No. In FY22, Congress granted the FRA construction authority for our Transportation Technology Center located in Pueblo, Colorado. We will create a policy to address the new building resistant provisions by FY24.</p>
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		<p>Additional Notes: FMCSA, FTA, NHTSA, PHMSA, OST: NA FHWA and GLS: Yes. FAA: Partial. Working towards an official agency-wide policy to address the requirements of EO 13717 and seismic projects, in general. We try, agency-wide, to require the use of the latest edition of the IBC/IRC code for seismic design and construction in new Facilities. We are working to establish a more formal process to capture our current project by project seismic activity and compliance. FRA: No. The FRA will create a policy to address existing building compliance with the Seismic standards by FY24. MARAD: No. While MARAD does not have a policy regarding the adoption of IBC/IRC codes for seismic design, the requirements are covered as part of the NEPA evaluation process (identification of risks associated with construction at a particular site) and the design process in any contract for construction (A&amp;E vendor is responsible for implementing federal and local seismic standards, whichever is more stringent; and the construction contractor is responsible adhering to the design).</p>

Table 14. Department of Transportation (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	<p>Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes: FWHA, FMCSA, FRA, FTA, NHTSA, PHMSA, GLS: NA OST: Yes. FAA: Partial. Working towards an official agency-wide policy to address the requirements of EO 13717 and seismic projects, in general, within the FAA. We have been working with our real estate group to update language within their contracts and requirements to meet the requirements of EO 13717. We have also reviewed leases within high seismic zones to make sure that the requirements are being met. We are working to establish a more formal process to capture our current project by project seismic activity and compliance. MARAD: No. MARAD will work to integrate this requirement in future leases and include these standards in our future leasing requirements.</p>
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	<p>Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes: FWHA, FMCSA, FRA, FTA, NHTSA, MARAD, PHMSA, OST, GLS: NA OST: Yes. FAA: Partial. Working towards an official agency-wide policy to address the requirements of EO 13717 and seismic projects, in general, within the FAA. We have been working with our real estate group to update language within their contracts and requirements to meet the requirements of EO 13717. We have also reviewed leases within high seismic zones to make sure that the requirements are being met. We are working to establish a more formal process to capture our current project by project seismic activity and compliance.</p>

Table 14. Department of Transportation (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Additional Notes: FAA, FWHA, FMCSA, FRA, FTA, NHTSA, MARAD, PHMSA, OST, GLS: NA MARAD: While MARAD does not have a policy regarding the adoption of IBC/IRC codes for seismic design, the requirements are covered as part of the NEPA evaluation process. The grantee is responsible for implementing federal and local seismic standards, whichever is more stringent, though the terms and conditions of the financial assistance instrument.
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* Title 49 – *Transportation* of the Code of Federal Regulations: Executive Order 12699 as referenced in §41 – *Seismic Safety*. Further, in §41 the *NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures* is no longer developed as an enforceable building code for seismic design and construction.

Table 15. Department of Veteran Affairs (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

Table 15. Department of Veteran Affairs (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	<p>Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Additional Notes:  <i>Partial.</i> Federally assisted buildings using funds from the Veterans Health Administration’s State Home Construction Grant Program considered requiring IBC/IRC for construction of State Homes but decided not to adopt it in favor of state/local code requirements, while remaining in compliance with 38 CFR 59. The majority of states have adopted IBC/IRC, therefore the Program is compliant in those states that have adopted 2018 or later.  <i>No.</i> No programs administered by the Veterans Benefits Administration’s Loan Guaranty Service are considered to be impacted by EO 13717. Section 3(a) of EO 13717 references 40 USC 3312 as the source of compliance, and the law is applicable to a “building” that is “constructed or altered” by GSA or any other federal agency. This determination has been made as EO 13717 is not germane to the home loan or adaptive housing grant programs administered by the Loan Guaranty Service. Each property that serves as security for a VA-guaranteed loan must meet VA Minimum Property Requirements (MPRs) to be considered eligible for the program. In existing and new construction cases, MPRs provide a basis for determining if the property is safe, structurally sound, sanitary, and meets standards acceptable for a permanent home in its locality. The International Building Code (IBC) and other equivalent national codes, as stated in EO 13717, were considered for adoption; however, it was determined that all home loan and specially adapted housing grant programs administered by the Loan Guaranty Service were not considered to be impacted by EO 13717.</p>
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	<p>Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes:</p>

Table 16. General Service Administration

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* None.

Table 17. Nuclear Regulatory Commission

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

Table 17. Nuclear Regulatory Commission (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: The NRC regulations impose higher requirements on our licensees than the codes and standards prescribed by EO 13717. A previous report states that “Many buildings for which the NRC issues regulations are already required to meet significantly higher standards than those for buildings covered by EO 13717.” See NIST RP 9, Section 2.2.4. Consistent with the NRC’s mission to promote the common defense and security, protect public health, and minimize danger to life or property, the NRC regulates the civilian use of nuclear materials such as nuclear power plants, research and test reactors, medical isotope production, and fuel facilities. Examples of some of the seismic performance related NRC’s regulations include parts 50 and 52 of Title 10 of Code of Federal Regulations. The NRC also provides guidance to aid licensees and applicants to satisfy the applicable regulatory requirements. Further, the NRC regularly incorporates by reference updated consensus codes, code cases, and standards for nuclear facilities through its regular updates to 10 CFR 50.55a. In general, the applicable consensus codes and standards for nuclear facilities like American Society for Civil Engineers (ASCE) Standard 43-19, American Concrete Institute (ACI) Codes 349 and 359, American Society for Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (BPVC) Codes, and American Institute for Steel Construction (AISC) Code N690 require a higher seismic performance level than the minimum level prescribed in the codes and standards outlined in Sections 3a, b, and c of EO 13717.

*Additional Notes:* None.



Table 18. Office of the Director of National Intelligence (see Table 2 for agencies included in report)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Two of the six bureaus are not applicable. Three of the five applicable bureaus stated yes to having a policy that complies with the EO; whereas one is partially compliant. The fourth agency stated that they currently have policy for renovations and alterations but not explicitly for new construction. They plan to explore additional policy with the new update cycle for the <i>Facilities Standards for Design and Construction</i> .
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: One of the six bureaus is not applicable. Three of the five applicable bureaus stated yes to having a policy that complies with the EO; whereas the other two are partially compliant. ODNI as a parent agency has a draft policy that is currently in the internal coordination process. Agencies within the IC that are also members of the Department of Defense (DIA, NGA, NRO, NSA) have used the U.S. Army Corps of Engineers (USACE) for some construction and USACE projects comply with EO 13717 guidance.
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Two of the six bureaus are not applicable. Four applicable bureaus stated partial to having a policy that complies with the EO. ODNI has a draft policy that is currently in the internal coordination process. This policy will apply to the 6 IC elements referenced earlier.

Table 18. Office of the Director of National Intelligence (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	<p>Applicable: Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has Policy: Yes <input checked="" type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes: Three of the six bureaus are not applicable. Of the three applicable bureaus, two stated yes to having a policy that complies with the EO, and one stated partial.</p> <p>While ODNI has both independent leasing authority and conditional delegation of leasing authority, it is currently not used due to lack of expertise within the organization. ODNI uses the expertise of one of its subordinate agencies in the intelligence community for these activities. ODNI has a draft policy that is currently in the internal coordination process.</p> <p>NSA: The current leasing authority agreement requires certification that the building meets the Basic Safety Objective of ASCE/SEI 41, executed by a registered civil or structural engineer, when modifying structures for tenant improvements. NSA will work with the leasing authority to update the lease agreement language to require that the lessor document that the building complies with ICSSC Recommended Practice: <i>Standards of Seismic Safety for Existing Federally Owned and Leased Buildings</i>. This documentation will be required for lease renewal.</p>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	<p>Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes:</p>
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	<p>Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/></p> <p>Additional Notes:</p>

*Additional Notes:* None.

Table 19. Small Business Administration

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes:

*Additional Notes:* Title 13, Chapter 1 – *Small Business Administration* of the Code of Federal Regulations: In §120.174 the *NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures* is no longer developed as an enforceable building code for seismic design and construction.

Table 20. Tennessee Valley Authority

Category	Information Requested	Data Provided by Agency
Design and construction of a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: The applicable current version of the ICC codes is identified at the beginning of each project. Facilities Management recently developed Architectural and Engineering Standards (dated 9/30/20) that references compliance with EO 13717. TVA is complying to the extent practical and working towards a more centralized real property review process.
Design and construction of an alteration to an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for a federally owned existing building undergoing an alteration?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: The applicable current version of the ICC codes is identified at the beginning of each project. Facilities Management recently developed Architectural and Engineering Standards (dated 9/30/20) that references compliance with EO 13717. TVA is complying to the extent practical and working towards a more centralized real property review process.
Leasing space in an existing building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the <i>Standards</i> for an existing building containing space included in a new or renewed lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Facilities Management established Architectural and Engineering Standards (9/30/20) that reference compliance with EO 13717. TVA is complying to the extent practical and working towards a more centralized real property review process.
Leasing space in a new building	Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?	Applicable: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: Facilities Management established Architectural and Engineering Standards (9/30/20) that reference compliance with EO 13717. TVA is complying to the extent practical and working towards a more centralized real property review process.

Table 20. Tennessee Valley Authority (cont.)

<i>Category</i>	<i>Information Requested</i>	<i>Data Provided by Agency</i>
Financing, through grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: NP
Regulating the structural safety of a new building	Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?	Applicable: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Has Policy: Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>
		Additional Notes: NP

*Additional Notes:* None.

### 2.2.3. Summary

This report serves as the summary of agency progress in implementing the EO and covers the biennial reporting period of February 2, 2020 to February 1, 2022. Sixteen reports covering sixty-six agencies (department, agency, bureau, office, institute, etc.) were received by NIST for this reporting period. Relevant data compared to that reported in NIST TN 2136-2 for Feb. 2, 2018 through Feb. 1, 2020 is as follows:

- Total Reports Received for this reporting period: 16 (0% change from last reporting period)
  - New Reports Received: 0 (0%)
  - Decrease in Returning Reports: 0 (0%)
- Total Reporting Agencies: 66 (0% change from last reporting period)
  - Increase in Reporting Agencies: 0 (0%)
  - Decrease in Returning Reporting Agencies: 0 (0%)

Most of the agencies reporting indicated that their policies that focus on any of the six activities identified in Section 2.2 comply with EO 13717. A few agencies reported some policies being partially or not compliant with planned efforts in place to become fully compliant.

The following is a list of general recommendations for improving compliance, where applicable:

1. Parent agencies that do not have an agency-wide policy that covers subsidiary agencies should coordinate with their subsidiaries to develop policies to simplify agency compliance and reporting.
2. The *Code of Federal Regulations* must be updated to reference EO 13717 as well as remove references to the *NEHRP Recommended Seismic Provisions for New Buildings and Other Structures* to identify it as an equivalent seismic design code.
3. Agencies that have policies that require compliance with building codes adopted by the jurisdiction where the building is/will be located should update these policies so that the latest edition from the jurisdiction or EO 13717 is used.

Tracking ICCSC agency activities that enhance their seismic resilience is a complex, time-consuming effort that requires programmatic resources. The data request template sent to the agencies and associated guidance, see Appendix A, focuses only on agency policy (regulation) so that progress towards implementation of the EO may be consistently tracked across future reporting cycles in an efficient manner.

Lastly, the EO covers activities identified in Section 2.2 since 2016 by prescribing what codes and standards shall be used from that point forward, but it does not ensure the portfolio of existing in-service buildings owned or leased (if lease renewal has not occurred) by the Federal Government prior to 2016 meet the seismic performance objective mandated by the EO.

## Appendix A. Reporting Template

The following is the data call sent to the agencies for EO compliance reporting.

### Executive Order 13717 Compliance Data Request Template

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Version 1.2 May 10, 2022

#### Part A: Overview

##### *Background and Scope:*

Executive Order (EO) 13717: *Establishing a Federal Earthquake Risk Management Standard*<sup>1</sup> was signed on February 2, 2016. The EO establishes minimum seismic requirements for new and existing buildings that will be constructed, altered, leased, financed, or regulated by the Federal Government. These requirements help enhance the seismic resilience of agencies by reducing risk to lives of building occupants and improving the probability of continued performance of buildings essential to agency operations and functions following future earthquakes.

The EO requires that agencies whose activities are covered by the order submit a biennial report to the Director of the Office of Management and Budget (OMB) and the Director of the National Institute of Standards and Technology (NIST) on their progress in implementing the order, commencing two years from the date of the order. NIST, as the lead agency of the National Earthquake Hazards Reduction Program (NEHRP) and Chair of the Interagency Committee on Seismic Safety in Construction (ICSSC)<sup>2</sup>, is required by the EO to summarize agency compliance with the order in the biennial NEHRP report to Congress.

In 2017, NIST published ICSSC Recommended Practice (RP) 9: *Implementation Guidelines for Executive Order 13717*<sup>3</sup> to provide broad guidance to the agencies on implementing EO 13717, offering information for common use by all agencies, so that each agency can establish its EO implementation policies and procedures that are consistent with both the EO and statutory agency-specific requirements. RP 9 also provided guidance on how an agency can report their progress in implementing the order to OMB and NIST. This guidance was used for the first biennial reporting period, February 2, 2016 to February 1, 2018. NIST updated the reporting guidance for the second biennial reporting period, February 2, 2018 to February 1, 2020, by developing a data request template, which superseded the reporting guidance provided in RP 9. Based on feedback from the ICSSC and directions for the summary report, NIST significantly simplified the data request template for this present reporting period, the third biennial period, to focus only on agency policy compliance.

The following aspects pertain to this data request and template:

- This data request covers the reporting period from February 2, 2020 through February 1, 2022.
- All federal agencies (department, agency, bureau, office, institute, etc.) subject to the EO are required to respond to this data request<sup>4</sup>. This reporting template is intended to standardize the data provided

<sup>1</sup> Available here: <https://www.govinfo.gov/content/pkg/CFR-2017-title3-vol1/pdf/CFR-2017-title3-vol1-eo13717.pdf> (last accessed Feb. 1, 2021).

<sup>2</sup> The ICSSC is composed of representatives of all federal agencies engaged in construction, financing of construction, or related activities. The ICSSC was created as a function of the National Earthquake Hazards Reduction Program in 1978. The ICSSC mission is to assist federal agencies develop and incorporate earthquake risk reduction measures in their ongoing programs. For more information about the ICSSC, contact Jay Harris at NIST (ICSSC@nist.gov).

<sup>3</sup> Available here: <https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1922.pdf> (last accessed Feb. 1, 2021).

<sup>4</sup> In the previous data request (reporting period covering February 2, 2016 through February 1, 2018), only agencies that had actively participated in the Interagency Committee on Seismic Safety in Construction (ICSSC) were requested to complete the data call for EO 13717 (see footnote 2 for more information on the ICSSC). One objective of this data call



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by agencies reporting their progress in implementing EO 13717 and be a data management tool to support an agency's evolving seismic risk management program.

- Data requests shall be submitted to NIST by the *agency having the highest authority* ("parent organization") whenever possible; agencies are encouraged to coordinate with their parent organization to prepare a data request that represents the parent organization and its subsidiary responses<sup>5</sup>. This template may be used by subsidiary organizations to report to their parent organization. An agency that leases space to another agency not under its purview is not required to report for the lessee.
- All federal agencies engaged in the management or construction of buildings in areas of seismic risk shall designate one or more Seismic Safety Coordinator(s) to serve as focal points for the agency's compliance with the EO and to participate in the ICSSC. Participation in the ICSSC is not limited to the parent organization; all subsidiary organizations shall be included on the ICSSC roster, unless delegating responsibility to the parent organization or other agency.
- Completed data requests shall be submitted to OMB and NIST. NIST will develop and publish a summary report for the biennial reporting period and include it, in full form or by reference, in the biennial NEHRP report to the Congress. Therefore, all data received from agencies shall be unclassified and not sensitive. Data requests may be included in the published report as an appendix.
- Data requests from the parent organizations shall be submitted to NIST via email at [ICSSC@nist.gov](mailto:ICSSC@nist.gov) by August 23, 2022. Please contact Jay Harris at NIST ([ICSSC@nist.gov](mailto:ICSSC@nist.gov)) with any questions you have about this data request or template. Agency reports submitted after this deadline will not be included in the compliance summary report for this reporting period. Submissions to OMB will not be tracked by NIST nor will NIST forward a submission to OMB.

*Layout of Template:*

Part B provides definitions and references required to complete this data request.

Part C requests the following information from each organization:

- Section 1: Contact information for agency representative submitting report.
- Section 2: ICSSC information for agency representatives, including subsidiary organizations.

Part D requests data applicable to the following categories for each organization:

- Section 3: Buildings Covered by the EO and Exemption Authority
- Section 4: New Federally Owned Buildings
- Section 5: Existing Federally Owned Buildings
- Section 6: Space Leased for Federal Occupancy in Existing Buildings
- Section 7: Space Leased for Federal Occupancy in New Buildings
- Section 8: Federal Assistance Programs for New Buildings
- Section 9: Federally Regulated New Buildings

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is to reach out to agencies that have not previously participated in the ICSSC but whose participation is pertinent because of potential seismic risks to their building inventory.

<sup>5</sup> For example, Subsidiaries B and C would submit a report to Department A, which as the parent organization will collate the data from all subsidiary organizations.



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## Part B: Definitions & References

### Definitions:

The following are interpretations or clarifications of terms defined in Section 6 of the EO:

- **Building** means “any structure, fully or partially enclosed, used or intended for sheltering persons or property”. For compliance reporting, *new* and *existing* buildings are defined as follows:
  - **New Building:** Any building during this reporting period in at least one of three phases:
    - 1) programming (see definition below)
    - 2) construction
    - 3) award of Certificate of Occupancy (or equivalent authorization)<sup>6</sup>
  - **Existing Building:** Any building with a Certificate of Occupancy (or equivalent authorization) awarded prior to this reporting period.
- **Programming** means “developing and validating project assumptions, scope, budgets, and implementation strategy for a building”.
  - For compliance reporting, programming is limited to those buildings for which a contract for design/engineering services has been issued to a design professional, but for which construction has not yet been approved/awarded.
- **Alteration of an existing building** means an action that alters<sup>7</sup> a building through “(A) preliminary planning, engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the alteration of a public building; and (B) repairing, remodeling, improving, or extending, or other changes in, a public building”.
  - For compliance reporting, actions identified in (A) are included in *programming* so that alteration focuses on buildings undergoing physical or use and occupancy modifications addressed in (B).

### Referenced Codes, Standards, and Guidelines:

The EO requires agencies covered by this order to adopt, or in some cases consider adopting, recent codes and standards. The following table outlines these codes and standards for new and existing buildings, the relevant adoption dates, and the applicability to which biennial agency reporting period.

- IBC = International Building Code
- IRC = International Residential Code
- RP 8 = ICSSC Recommended Practice 8: *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings* (referred to as Standards)<sup>8</sup>
- RP 10-22 = ICSSC Recommended Practice 10 (2022): *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings* (referred to as Standards), tentatively planned for publication in summer 2022

FEMA has the [Nationwide Building Code Adoption Tracking](#) (BCAT) program that can be used to verify the latest IBC/IRC adopted in a jurisdiction. A component of this program is an [adoption map](#).

<sup>6</sup> As defined by IBC, IRC, or other appropriate agency-specific certification or procedure for initiating use or occupancy of a building (for example, see GSA P100: *Facilities Standards for the Public Buildings Service*).

<sup>7</sup> The EO references 40 U.S.C. 3301.(a).1 to define ‘alter’.

<sup>8</sup> Available here: <https://www.nist.gov/publications/standards-seismic-safety-existing-federally-owned-and-leased-buildings-icsc> (last accessed Feb. 1, 2021).

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EO Reporting Period	Covered Dates	New Buildings			Existing Buildings		
		Code/Standard	Earliest Adoption Date	Adoption Deadline	Code/Standard	Earliest Adoption Date	Adoption Deadline
1	Feb. 2, 2016 – Feb. 1, 2018	2015 IBC/IRC	before reporting period	May 2, 2016	RP 8	before reporting period	May 2, 2016
		2018 IBC/IRC	Aug. 31, 2017	next reporting period			
2	Feb. 2, 2018 – Feb. 1, 2020	2015 IBC/IRC	before reporting period	<i>Terminated</i> Aug. 31, 2019	RP 8	before reporting period	before reporting period
		2018 IBC/IRC	before reporting period	Aug. 31, 2019			
3 (reporting period covered in this template)	Feb. 2, 2020 – Feb. 1, 2022	2018 IBC/IRC	before reporting period	Aug. 31, 2019	RP 8	before reporting period	before reporting period
		2021 IBC 2021 IRC	Oct. 23, 2020 Jan. 29, 2021	next reporting period			
4	Feb. 2, 2022 – Feb. 1, 2024	2018 IBC 2018 IRC	before reporting period	<i>Terminates</i> Oct. 23, 2022 Jan. 29, 2023	RP 8	before reporting period	before reporting period
		2021 IBC 2021 IRC	before reporting period	Oct. 23, 2022 Jan. 29, 2023			
		2024 IBC 2024 IRC	Late 2023/early 2024	next reporting period	RP 10-22	Summer 2022	next reporting period

EO 13717 rescinds EO 12941: *Seismic Safety of Existing Federally Owned or Leased Buildings* and EO 12699: *Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction*, which may be referenced in the *Code of Federal Regulations*. In addition, provisions in the *Code of Federal Regulations* may reference an edition of the *NEHRP Recommended Seismic Provisions for New Buildings and Other Structures* as either the base code or its equivalence to other codes. Since 2009, this document is no longer developed in a manner permitting it to be referenced as a standalone enforceable code. As such, provisions in the *Code of Federal Regulations* if applicable to an agency policy should be reviewed for compliance with the EO.

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**Part C: Agency Information**

**Section 1: Contact Information**

1. Provide the name, title, affiliation, and contact information for the individual responsible for completing this report, i.e., point of contact (POC).

POC Name:	
POC Title:	
POC Affiliation:	
POC Mailing address:	
POC Email address:	
POC Phone number:	

2. Provide (A) the name of the parent organization for which this report contains data, or this report is submitted to, (B) the name of the organization for which this report contains data, and (C) the name of any subsidiary organization(s) (agency, bureau, office, institute, etc.) included in this report. In addition, (D) please provide the name of any subsidiary organization(s) that should have been included in this report but was not.

Parent Organization:	
Organization (if different than Parent):	
Subsidiary Organization(s) included in report:	
Subsidiary Organization(s) not included in report:	

**Section 2: Interagency Committee on Seismic Safety in Construction (ICSSC) Information**

Organizations whose activities are covered<sup>9</sup> by EO 13717 shall designate one or more Seismic Safety Coordinator(s) (SSC) to serve as representatives for the organization's compliance with the order and to participate in the ICSSC.

3. Seismic Safety Coordinator(s) and At-Large ICSSC Membership
  - A. Is the person identified in Section 1 the designated SSC for the organization submitting this report? If yes, please indicate below. If not, or if there are more coordinators (or alternates)

<sup>9</sup> All federal agencies engaged in construction, financing of construction, leasing, or other related activities are covered by the EO. RP<sup>9</sup> provides recommended SSC qualifications for selection as well as SSC duties and responsibilities.

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than the person identified in Section 1, please provide the name, title, affiliation, and contact information for the designated coordinator(s).

Is the POC the SSC? <i>(yes or no)</i>	
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*If no, provide the information below. Copy and paste table if needed to provide additional information.*

Organization:	
SSC Name:	
SSC Title:	
SSC Affiliation:	
SSC Mailing address:	
SSC Email address:	
SSC Phone number:	

- B. A parent organization may have a designated SSC that is also the SSC for its subsidiary organizations or there may be an SSC for each subsidiary organization under the purview of the parent organization and its SSC. Please provide the name, title, affiliation, and contact information for all Seismic Safety Coordinators for each subsidiary organization; include those agencies that did not submit a report.

Subsidiary Organization:	
SSC Name:	
SSC Title:	
SSC Affiliation:	
SSC Mailing address:	
SSC Email address:	
SSC Phone number:	

*Copy and paste table if needed to provide additional information.*

- C. Please provide the name, title, affiliation, and contact information for any other member(s) of the organization submitting this report that should be an at-large member of the ICSSC. Further, please provide the same data for all at-large members for each subsidiary organization; include those agencies that did not submit a report.

Organization:	
ICSSC Name:	
ICSSC Title:	
ICSSC Affiliation:	

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ICSSC Mailing address:	
ICSSC Email address:	
ICSSC Phone number:	

*Copy and paste table if needed to provide additional information.*

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**Part D: Data on Compliance with EO 13717**

**Section 3: Buildings Covered by the EO and Exemption Authority**

EO 13717 applies only to new and existing buildings that will be constructed, altered, leased, financed, or regulated by the Federal Government within the United States and its territories and possessions.

The head of an agency may exempt a building from the EO, in accordance with Section 7 of the EO, as follows:

- i. to the extent the head of an agency determines that exempting such building is substantially related to an important law enforcement purpose; or
- ii. to the extent the head of an agency determines that exempting such building is necessary to address an extraordinary circumstance relating to national security or public safety.

If the head of an agency issues an exemption, the agency must notify the Director of OMB in writing within 30 days of issuance of the exemption. Even when otherwise eligible for an exemption, each agency shall strive to comply with the purposes, goals, and requirements set forth in the EO to the maximum extent practicable.

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**Section 4: New Federally Owned Buildings**

Does your agency construct new buildings?

A. NO

If NO, please disregard this section.

B. YES

If YES, please read the EO requirement summarized below and provide an answer to the following question.

EO 13717 requires that seismic design and construction of a new building comply with the earthquake-resistant provisions of the latest edition of the IBC and/or IRC codes. Agencies have two years to adopt these codes after their issuance, see table in Part B.

Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a federally owned new building?

I. YES

II. PARTIALLY COMPLIANT

If Partially Compliant, please describe the extent of compliance and what plans your agency has to complete compliance, or why certain parts are not required.

Click or tap here to enter text.

III. NO

If No, please describe your agency's plans to rectify this issue or explain why compliance is not required.

Click or tap here to enter text.

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**Section 5: Existing Federally Owned Buildings**

Does your agency own any existing buildings?

A. NO

If NO, please disregard this section.

B. YES

If YES, please read the EO requirement summarized below and provide an answer to the following question.

EO 13717 requires that an existing building undergoing an alteration comply with the earthquake-resistant provisions of the latest edition of the *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings* (Standards) issued by the ICSSC. Agencies have two years to adopt the Standards after its issuance, see table in Part B.

Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the Standards for a federally owned existing building undergoing an alteration?

I. YES

II. PARTIALLY COMPLIANT

If Partially Compliant, please describe the extent of compliance and what plans your agency has to complete compliance, or why certain parts are not required.

Click or tap here to enter text.

III. NO

If No, please describe your agency's plans to rectify this issue or explain why compliance is not required.

Click or tap here to enter text.



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#### Section 6: Space Leased for Federal Occupancy in Existing Buildings

This section applies to agencies that use *independent leasing authority* or *conditional delegation of leasing authority* to lease space in an existing building. Agencies that only use *occupancy agreements* to occupy space in a building that is owned by or leased to another agency are not addressed.

Does your agency lease space in an existing building through either independent leasing authority or conditional delegation of leasing authority?

A. NO  (*Select NO if your agency only uses occupancy agreements to occupy space in a building that is owned by or leased to another agency*)

If NO, please disregard this section.

B. YES

If YES, please read the EO requirement summarized below and provide an answer to the following question.

EO 13717 requires that an existing building containing space leased by an agency comply with the earthquake-resistant provisions of the latest edition of the *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings* (Standards) issued by the ICSSC. Agencies have two years to adopt the Standards after its issuance, see table in Part B.

Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the Standards for an existing building containing space included in a new or renewed lease agreement?

I. YES

II. PARTIALLY COMPLIANT

If Partially Compliant, please describe the extent of compliance and what plans your agency has to complete compliance, or why certain parts are not required.

Click or tap here to enter text.

III. NO

If No, please describe your agency's plans to rectify this issue or explain why compliance is not required.

Click or tap here to enter text.

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**Section 7: Space Leased for Federal Occupancy in New Buildings**

This section applies to agencies that use *independent leasing authority* or *conditional delegation of leasing authority* to lease space in a new building. Agencies that only use *occupancy agreements* to occupy space in a building that is owned by or leased to another agency are not addressed.

Does your agency lease space in a new building through either independent leasing authority or conditional delegation of leasing authority?

- A. NO  (*Select NO if your agency only uses occupancy agreements to occupy space in a building that is owned by or leased to another agency*)  
If NO, please disregard this section.
- B. YES   
If YES, please read the EO requirement summarized below and provide an answer to the following question.

EO 13717 requires that seismic design and construction of a new building containing space leased by an agency comply with the earthquake-resistant provisions of the latest edition of the IBC and/or IRC codes. Agencies have two years to adopt these codes after their issuance, see table in Part B.

Does your agency have an agency-wide policy in place to support compliance with the requirement for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building containing space included in a new lease agreement?

- I. YES
- II. PARTIALLY COMPLIANT   
If Partially Compliant, please describe the extent of compliance and what plans your agency has to complete compliance, or why certain parts are not required.

Click or tap here to enter text.

- III. NO   
If No, please describe your agency's plans to rectify this issue or explain why compliance is not required.

Click or tap here to enter text.

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**Section 8: Federal Assistance Programs for New Buildings**

Does your agency participate in financing, through grants or loans, or guaranteeing of financing, through loan or mortgage insurance programs, the construction or purchase of a new building?

A. NO

If NO, please disregard this section.

B. YES

If YES, please read the EO recommendation summarized below and provide an answer to the following question.

EO 13717 recommends that agencies providing financial assistance for constructing or purchasing a new building consider updating their policies so that seismic design and construction complies with the earthquake-resistant provisions of the latest edition of the IBC and/or IRC codes. See table in Part B.

Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being constructed or purchased with federal funds or financing?

I. YES

II. PARTIALLY COMPLIANT

If Partially Compliant, please describe the extent of the update and what plans your agency has to complete the update, or why certain parts are not required.

Click or tap here to enter text.

III. NO

If No, please explain why the policy does not need to be updated.

Click or tap here to enter text.

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**Section 9: Federally Regulated New Buildings**

Is your agency responsible for regulating the structural safety of a new building (not owned or leased by the agency)?

- A. NO   
If NO, please disregard this section.
- B. YES   
If YES, please read the EO recommendation summarized below and provide an answer to the following question.

EO 13717 recommends that agencies regulating the structural safety a new building consider updating their policies so that seismic design and construction complies with the earthquake-resistant provisions of the latest edition of the IBC and/or IRC codes. See table in Part B.

Has your agency updated its policy to support compliance with the recommendation for adoption of the latest edition of the IBC and/or IRC code for seismic design and construction of a new building being regulated for structural safety?

- I. YES
- II. PARTIALLY COMPLIANT   
If Partially Compliant, please describe the extent of the update and what plans your agency has to complete the update, or why certain parts are not required.

Click or tap here to enter text.

- III. NO   
If No, please explain why the policy does not need to be updated.

Click or tap here to enter text.

## **Appendix B. ICSSC Roster of Seismic Safety Coordinators and At-Large Members**

EO 13717 directs each agency covered by the order to designate one or more Seismic Safety Coordinator(s) to serve as point(s) of contact for agency compliance with the EO and to represent the agency in the ICSSC. A list of agencies in the ICSSC and their designated Seismic Safety Coordinators and at-large members is provided at <https://www.nehrp.gov/about/icssc.htm>. The ICSSC membership roster gets updated every two years when agencies return the EO 13717 Compliance Data Call to the ICSSC Secretariat at NIST or when an agency provides roster changes. Any questions regarding the ICSSC can be sent to [ICSSC@nist.gov](mailto:ICSSC@nist.gov).

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