

United States Senate

WASHINGTON, DC 20510

September 15, 2022

Ms. Deanne Criswell
Administrator
Federal Emergency Management Agency
500 C Street SW
Washington, D.C. 20472

Dear Administrator Criswell:

Thank you for your ongoing work to protect communities across the country from severe natural disasters. As your agency considers future rounds of funding for the Building Resilient Infrastructure and Communities (BRIC) program, we ask that you consider modifications to the program so that all states, communities, and tribes--particularly inland communities--are able to compete for mitigation funds in order to take the steps needed to protect their communities from future severe weather events like flooding.

As part of the Disaster Recovery Reform Act of 2018 (DRRA), Congress provided significant resources to pre-disaster mitigation, recognizing the positive return on investment from mitigation activities.¹ To administer the funds, FEMA created BRIC to replace the Pre-Disaster Mitigation (PDM) program. Although Congress did not prescribe priority changes in DRRA from the agency's previous mitigation efforts in the PDM program, FEMA created a new set of priorities to implement the BRIC.

We are concerned that the technical criteria put forth by FEMA has placed inland communities at a serious disadvantage for this program. Based on an evaluation of the awards, there appears to be a significant bias towards coastal over non-coastal states. In both rounds of funding, a significant majority of the number of projects and levels of funding have gone to coastal states rather than non-coastal ones. In the first round of funding, no competitive grants were awarded in FEMA Regions 5, 6, 7, or 8, and only one project in a non-coastal state was successful in receiving competitive funds.² In the second round, out of the 53 applications selected, there was only one successful application in FEMA Regions 5, 6, and 7. Further, over 65% of the money for projects in non-coastal states went to only one state, leaving the rest of non-coastal states to receive under 10% of the competitive funds.

While we strongly support the program's goals to strengthen the resiliency of states, territories, tribes, and communities, we are concerned that technical criteria will continue to take a narrow approach to recognizing resilience efforts and give preference towards communities with certain mitigation practices, particularly those within states, territories, and tribes that have adopted recent versions of the International Building Code (IBC) and the International Residential Code (IRC), while ignoring other categories like state floodplain management practices that go above federal minimums established in the National Flood Insurance Program (NFIP), participation in

¹ https://www.nibs.org/files/pdfs/NIBS_MMC_MitigationSaves_2019.pdf

² <https://www.floods.org/news-views/asfpm-updates/asfpm-board-passes-resolution-outlining-deficiencies-in-bric-program-makes-recommendations-for-improvements/>

the Community Rating System (CRS) or Firewise USA,³ and other important aspects of comprehensive state mitigation programs.⁴ For example, Wisconsin and North Dakota earned FEMA's approval for an enhanced state mitigation plan, yet applicants within our states were not recognized for this work when applying for competitive BRIC grants.⁵ Further, states with strong hazard mitigation offices, like Wisconsin and North Dakota, are also constantly working with sub-applicants to prevent subpar applications being filed to FEMA and ensure federal dollars are spent wisely on resiliency projects, as evidenced by effectively using PDM dollars in years past.

We remain concerned that future rounds of BRIC funding will continue to demonstrate a heavy bias toward projects in coastal states at the expense of non-coastal ones. To ensure more inland communities are able to take the mitigation measures necessary to protect themselves from future disasters, we urge you take appropriate steps to ensure a more equitable distribution of competitive grant funding to inland communities. As part of this change, we ask that you consider other mitigation practices, like land use practices, hazard-specific zoning practices, and enhanced statewide mitigation plans, to provide a more complete assessment of the efforts already taken by non-coastal states. Finally, we believe you should consider raising the state/territory and tribal set-aside allocations in BRIC in order to give states, territories, and tribes the resources they need to respond to the mitigation priorities of their local communities.

We ask you to consider modifications to the program and that you engage with non-coastal states and communities, hazard mitigation officials and organizations, and Members of Congress representing non-coastal states to ensure their voices are at the table during those considerations. We look forward to working with you to ensure communities across the country are prepared to meet the challenge of more frequent and severe natural disasters to come.

Sincerely,



Tammy Baldwin
U.S. Senator



John Hoeven
U.S. Senator

³ CRS and Firewise are voluntary programs for flood and wildfire hazards, respectively, that incentivize proactive land use practices for participating communities

⁴ https://www.fema.gov/sites/default/files/documents/fema_fy21-bric-technical-criteria-psm_111521.pdf

⁵ <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/status>