

March 22, 2023

The Honorable Deanne Criswell, Administrator  
Federal Emergency Management Agency  
500 C Street, SW  
Washington, D.C. 20024

Dear Administrator Criswell:

The BuildStrong Coalition and its undersigned partners have been strong advocates for solutions to the rising costs and impacts of disasters in the United States over the past decade. We have identified many significant opportunities for policy changes that promote mitigation and the smart investment of federal resources to address our country's increasing number of severe and costly weather events, including informing several key provisions of the *Disaster Recovery Reform Act of 2018* (DRRA, Division D of P.L. 115-254). We write to you today regarding status of DRRA provisions, and to encourage FEMA to promote investment and utilization of DRRA incentives.

As originally introduced, DRRA proposed that FEMA would incentivize communities to take proactive steps *before* a disaster by increasing federal recovery assistance available *after* a disaster. That original DRRA provision to allow FEMA to increase the federal cost share for communities that have experienced presidentially declared disasters was so important to Congress in the wake of hurricanes Harvey, Irma, and Maria and the then-record 2017 wildfire season that it was separately fast-tracked through placement in the *Bipartisan Budget Act of 2018* (Sec. 20606 of P.L. 115-123) — prior to DRRA's ultimate passage — which was enacted more than five years ago, on February 9, 2018.

The incentive provisions allow for FEMA to provide qualifying states, tribes, and territories with a reduced non-federal match by establishing criteria for an increase of 10% (up to 85% from the typical 75% baseline) in federal funds post-disaster if those states, tribes, or territories have taken steps to increase their disaster resilience and reduce their disaster risks. The *Bipartisan Budget Act* provision amends Section 406(b) of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (P.L. 93-288), to read:

(3) INCREASED FEDERAL SHARE.—

(A) INCENTIVE MEASURES.— The President may provide incentives to a State or Tribal government to invest in measures that increase readiness for, and resilience from, a major disaster by recognizing such investments through a sliding scale that increases the minimum Federal share to 85 percent. Such measures may include—

- (i) the adoption of a mitigation plan approved under section 322;
- (ii) investments in disaster relief, insurance, and emergency management programs;
- (iii) encouraging the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable

criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters;

(iv) facilitating participation in the community rating system; and

(v) funding mitigation projects or granting tax incentives for projects that reduce risk.

We are confident that raising the federal cost share for FEMA's post-disaster Public Assistance program from 75% up to 85% for proven mitigation measures represents a powerful motivator for all communities to invest in resilience. Were FEMA to demonstrate a willingness to recognize and reward such investments in mitigation and resilience by implementing this now five-year-old provision of law, it would inspire communities to harden themselves against future disasters by undertaking the prescribed actions.

In 2018, the BuildStrong Coalition and our partners championed the cost share incentive provision throughout the DRRA debate. Now, we ask that FEMA provide an update on the status of its delayed implementation of these important provisions as soon as possible and would welcome the opportunity to meet with your office to further discuss the path toward a swift and successful implementation.

Sincerely,

American Concrete Pipe Association  
American Concrete Pumping Association  
American Property Casualty Insurance Association  
American Society of Civil Engineers  
BuildStrong Coalition  
Concrete Reinforcing Steel Institute  
Congressional Fire Services Institute  
Federal Alliance for Safe Homes – FLASH, Inc.  
Insurance Information Institute  
The Insurance Institute for Business and Home Safety  
International Association of Emergency Managers  
International Association of Fire Chiefs  
International Code Council

Marsh McLennan  
National Association of Counties  
National Association of State Fire Marshals  
National Association of Mutual Insurance Companies  
National Emergency Managers Association  
Natural Hazard Mitigation Association  
National Institute of Building Sciences  
National Precast Concrete Association  
Prestressed/Precast Concrete Institute  
National Ready Mixed Concrete Association  
Reinsurance Association of America  
Swiss Re  
U.S. Chamber of Commerce