



Information Alert

State-Federal Relations Division

FEMA Releases Building Resilient Infrastructure and Communities Proposed Policy

April 14, 2020

The Federal Emergency Management Agency (FEMA) published a proposed policy for the new Building Resilient Infrastructure and Communities (BRIC) program in the [Federal Register](#) on April 10. The Disaster Recovery Reform Act (DRRA) was signed into law in October 2018 and in part created the BRIC program via the National Public Infrastructure Pre-Disaster Mitigation Assistance fund. FEMA will commit 6% of the estimated expenses from each federally declared major disaster to the BRIC program, to fund disaster mitigation projects of the following year. Funding for pre-disaster mitigation grants had previously relied on congressional appropriations that varied from year to year. Because BRIC ties funding to Presidentially declared disasters, state and local governments can base their mitigation project planning on a more reliable funding stream. NCSL sent a [letter to Congress](#) advocating for the DRRA, and specifically the BRIC program, at the time of its drafting. For more on the DRRA, see [NCSL's blog](#).

The public comment period ends after 30 days, with a **deadline of May 11**. Under the 10-page draft policy, the BRIC program would include the following highlights:

Cost Share

FEMA may provide **up to 75 %** of the cost of eligible mitigation activities under BRIC. FEMA may provide up to 90% of the cost of eligible mitigation activities for small impoverished communities, if the community is:

- 1) Comprised of 3,000 or fewer individuals.
- 2) Economically disadvantaged - with residents having an average per capita annual income not exceeding 80% of the national per capita income.

Use of Assistance

BRIC funds may be used for:

- **Technical assistance**
- **Capability and Capacity Building Activities** - BRIC funding can be used to:
 - Expand or improve the administration of mitigation assistance.
 - Create and support partnerships that will mitigate risk.
 - Develop mitigation priorities and plans.
 - Pursue project-scoping activities.

- Establish, adopt, and enforce codes and standards consistent with statutes.
- Identify and implement other hazard-mitigation activities that reduce vulnerability, enhance public safety, and improve the resiliency of communities and critical infrastructure to natural hazards.
- **Mitigation Projects**
BRIC funding will be provided to applicants on a competitive basis to implement cost-effective mitigation projects designed to increase resilience and public safety and reduce injuries, loss of life, and damage and destruction of property, including damage to critical services and facilities.
- **Management Costs**
FEMA may provide financial assistance to reimburse the states and locals up to 15% (10% for the state, 5% for the sub-recipient) of the grant award for indirect costs, direct administrative costs, and other administrative expenses associated with mitigation projects.
- **Activity Eligibility Criteria** – The policy lays out criteria for what makes activities eligible for assistance.

Application Process – Generally, FEMA intends to follow previously established application processes, including using an electronic grant application system, with specific application requirements and criteria identified in the annual Notice of Funding Opportunity (NOFO). If FEMA deviates from previously established application processes, it will outline the details of the changes in other program implementation materials.

FEMA anticipates finalizing the proposed policy and releasing a NOFO detailing the application process by this fall 2020. NCSL will be submitting comments to FEMA in the coming weeks. If you would like to submit individual comments unique to your state, submissions will be accepted [here](#). For additional information, please contact Lucia Bragg at lucia.bragg@ncsl.org | 202-624-3576.