



## NATIONAL CONFERENCE of STATE LEGISLATURES

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*Executive Director*

March 9, 2018

Regulatory Affairs Division, Office of Chief Counsel  
Federal Emergency Management Agency  
500 C Street S.W. Washington, D.C. 20472

RE: Draft National Mitigation Investment Strategy

On behalf of the National Conference of State Legislatures (NCSL), this letter is written in response to the Federal Emergency Management Agency's (FEMA's) request for comments to its draft National Mitigation Investment Strategy (NMIS). NCSL appreciates the opportunity to comment on this important roadmap for disaster mitigation coordination between federal, state, and local governments as well as the private and nonprofit sectors. Going forward, FEMA should take into account some general principals important to states with respect to disaster mitigation.

1. NCSL encourages FEMA to recognize that states have competing priorities for limited funding and there can be no one-size-fits-all approach to disaster mitigation. Though disaster mitigation is an important and growing challenge, states must continually balance fiscal needs as particular circumstances dictate. With that in mind, NCSL supports continued and flexible disaster relief funding from the federal level – in the form of Emergency Management Planning Grants and funding for the Emergency Management Assistance Compact – distributed directly to states, and with state legislative oversight. In order to sustain the basic response infrastructure for public safety and public health emergencies, FEMA should also continue to provide a minimum grant even in states that appear to have low risk factors, and aim to complement rather than replace state funds.
2. States facing extensive risk are already investing in mitigation initiatives. The NMIS proposal acknowledges that state and local governments are in the best position to understand risks and solutions specific to their communities, but FEMA may not be aware that state and local governments are already moving forward to share accountability and costs of disaster mitigation. In the last few years, state legislative trends have emerged in the areas of building code and infrastructure updates; the development of disaster mitigation task forces and interagency collaboration; and financial incentives related to flood insurance rates, low-interest loan programs and grant programs. Disaster mitigation bills signed into law just last year continue these trends:
  - a. [HB 181](#) (Chap. 48) in Florida creates an interagency workgroup to share information, coordinate ongoing efforts, and collaborate on initiatives relating to natural hazards.

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- b. [SB 315](#) (Chap. 28) in South Carolina creates an advisory committee to study strategies for hurricane, earthquake, flood, and fire loss mitigation as well as grant programs for use by local governments and residents.
  - c. [SB 6](#) (Chap. 21) in Illinois appropriates over \$24 million to the Department of Natural Resources for flood hazard mitigation efforts such as acquiring flood prone structures and implementing mitigation plans.
  - d. Already in 2018, legislatures in disaster-prone states like California and Florida have introduced bills that would update disaster mitigation plan requirements for electric utilities ([SB 901](#)) and extend the number of days certain state employees can be granted administrative leave to participate in disaster relief services ([HB 7083](#)).
3. Consultation and communication between the federal and state governments is critical to determining appropriate levels of federal support. NCSL encourages the administration to maintain and expand its efforts to include states in any attempt to reform standards, policies, and procedures.
  4. NCSL agrees with FEMA's long-standing goal of making funds distribution easier for states and their citizens. To reach this goal, we respectfully suggest that the Department of Homeland Security (DHS) and FEMA develop a centralized grant application system for homeland security and emergency preparedness activities; utilize an all-hazards approach including a range of emergencies; and avoid adding new compliance requirements to existing grant programs.

FEMA's draft National Mitigation Investment Strategy's goal of federal, state and local collaboration is well-intentioned, but must avoid creating burdensome cost-shifts to states or a lack of transparency in the process. As the NMIS is finalized, state discretion must be maintained regarding how best to meet the stated goals of reducing federal spending and increasing state resiliency to disaster situations. NCSL urges FEMA to consider the priorities outlined above, and to continue working directly with states on the best ways to incentivize mitigation projects and state resiliency to disasters. NCSL welcomes the opportunity to work with FEMA to discuss state impact issues and provide research in this area. For more information, please contact NCSL staff Susan Parnas Frederick ([susan.frederick@ncsl.org](mailto:susan.frederick@ncsl.org)) or Lucia Bragg ([lucia.bragg@ncsl.org](mailto:lucia.bragg@ncsl.org)) in NCSL's Washington, DC office.

Sincerely,

A handwritten signature in black ink that reads "William Pound". The signature is written in a cursive style with a large, looping initial "W".

William Pound  
Executive Director  
National Conference of State Legislature