



2024
INTERNATIONAL CODE COUNCIL
CONFERENCE
EXPO+HEARINGS

New FEMA Interim Policy

Public Assistance Mitigation Cost Share Incentives Policy

First things first...



- Scan this QR code;
- Hear me out;
- Fill out the form and click to submit a comment to FEMA.



Aaron Davis

Vice President, Federal Relations
Washington, DC

AGENDA

- What is FEMA Public Assistance?
- What spurred the new Mitigation Cost Share Incentives Policy?
- What is in the interim policy?
- Why should I care?
- How can I let FEMA know I support the interim policy?

Public Assistance... before the Mitigation Cost Share Incentives Policy

- What is FEMA's Public Assistance (PA) Program?
 - Authorized by Title 4 of the *Stafford Act*;
 - PA funds both temporary and permanent repair and reconstruction of public infrastructure (e.g. fire station, public hospital, school, public electric/water utilities, roads/bridges) that has been damaged or destroyed by an event that has resulted in a Presidentially-declared major disaster;
 - PA-eligible work must be completed to the most recent editions of IBC and IECC;
 - Your state and local emergency management agencies work with FEMA to manage these projects and receive reimbursement for eligible work;
 - Reimbursement is typically 75% Federal share/25% non-Federal;
 - Prior to interim policy, a very limited number of disasters of a significant magnitude resulted in 90% Federal share/10% non-Federal.

Why the new policy?

- Sec. 20606 of the *Bipartisan Budget Act of 2018*
 - Section 406(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(b)) is amended by inserting after paragraph (2) the following:
 - “(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.

PA... after the Mitigation Cost Share Incentives Policy (FEMA Interim Policy FP-104-24-002)

- Provides a 5% cost share adjustment to 80% Federal/20% non-Federal share if PA permanent work project includes a Hazard Mitigation Proposal that is 20% or more of the overall cost of the project; or
- **Provides a 10% cost share adjustment to 85% Federal/15% non-Federal for above, and if communities adopt and enforce one of the two most recent editions of the IBC and IECC commercial (or ASHRAE 90.1); and**
- Interim policy is silent on the other provisions of Sec. 20606 (mitigation plan, insurance, and Community Ratings System).

So what?

- If you are from a community that is not on either of two most recent editions of required codes, it provides an incentive to update;
- If you are from a state or community on two most recent editions of required codes, the work you've already done could result in millions of additional dollars for recovery from major disasters – had this policy been in place earlier, it would have likely resulted in:
 - More than \$100M more for Florida for Hurricane Michael recovery, nearly \$28M additional for California for Camp Fire and 2018 fire season recovery, \$70M for Nebraska for 2019 severe storms and flooding, and \$11M additional for Pennsylvania after 2018 floods.
- Tell your counterparts in emergency management!

How can I lend my support?



- Scan the QR code or visit iccsafe.org/advocacy;
- Fill out the form and (optionally) personalize your note;
- Click to submit a formal comment to FEMA via [regulations.gov](https://www.regulations.gov);
- We expect the 2025 version of the policy will expand to capture more of *BBA18*, but we want to ensure the code piece still results in the greatest cost share increase.



2024
INTERNATIONAL CODE COUNCIL
CONFERENCE
EXPO+HEARINGS

Thank You for Attending

visit iccsafe.org/advocacy for more information