

Written Testimony of Pamela S. Williams

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before the

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Infrastructure
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Emergency Management**

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Chairwoman Titus, Ranking Member Meadows, and distinguished members of the Committee, I would like to thank you for holding this important hearing today regarding the ongoing efforts surrounding the implementation of the Disaster Recovery Reform Act of 2018 (P.L. 115-254), as well as the nation's readiness for disasters, particularly on the eve of the 2019 Atlantic Hurricane Season. I am Pamela Williams, the Executive Director of the BuildStrong Coalition, and it is the honor of my career to be before you today to discuss one of the most transformational pieces of disaster legislation since the creation of the Federal Emergency Management Agency (FEMA), and most certainly since the Post-Katrina Emergency Management Reform Act. I join the emergency management and resilience communities in our gratefulness for the continued bipartisan leadership and commitment demonstrated by the Chairwoman, Ranking Member, and this Committee in reducing disaster impacts, costs, and losses across the country.

Background and Introduction

My journey here began over 20 years ago, aiding the City of Des Moines, Iowa in recovery from the devastating 1993 Midwest floods. During my career, I have served at the federal, state and local levels, dealing with disaster policy. I have helped local governments adopt and enforce codes and standards as they attempted to rebuild from catastrophe, guided states toward prioritizing disaster preparedness and mitigation efforts, and worked in the trenches with FEMA addressing the consequences of this country's most catastrophic disasters. Most recently, I was honored to serve this Committee for five years, most importantly as the members of this Committee developed the legislative response to the unprecedented 2017 disaster season. I have a deep appreciation for the emergency management profession, the challenges in driving responsible disaster policy, and the tremendous, tireless efforts put forth every day by FEMA, all levels of government, and our private sector partners in trying to get to a better answer on disasters.

Today, it is my privilege to serve as the Executive Director of the BuildStrong Coalition and to testify before you today on its behalf. The BuildStrong Coalition, formed in 2011 to respond to an increasing number of severe disasters, is made up of a diverse group of members representing firefighters, emergency responders, emergency managers, insurers, engineers, architects, contractors, and manufacturers, as well as consumer organizations, code specialists, and many others committed to building a more disaster resilient nation. We are proud to be at the forefront of this conversation and serve as a rational, trusted expert in the areas of disaster resiliency, mitigation, and preparedness. We look forward to continuing our efforts to raise awareness and increase capacity to help minimize risk and reduce losses to communities, businesses, and families.

The BuildStrong Coalition has been a partner with the Committee in its work to investigate causes of, and devise the solutions to, the rising cost of disasters in the U.S. since you initiated this conversation in 2013. We have been honored to present witnesses and participants in hearings, roundtables, and briefings to identify 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 provisions of the Disaster Recovery Reform Act of 2018.

Transforming Disaster Recovery and Mitigation

In recognition of unsustainable impacts of disasters, the enormous challenges presented by the recovery needs of the 2017 disaster season, and the increasing proof of the overwhelming benefits of mitigation —particularly pre-disaster mitigation — this Committee introduced and passed the bipartisan Disaster Recovery Reform Act of 2018 (DRRA) and other disaster recovery provisions in the Bipartisan Budget Act of 2018. These changes to disaster law and policy will support and incentivize states and localities to adopt enhanced mitigation measures to protect lives and taxpayer dollars, remove some of the moral hazards that increase risk, and transform disaster resilience in this country. FEMA now has more tools to help impacted communities recover smarter and stronger and end the cycle of build, damage, rebuild.

Bipartisan Budget Act of 2018

On February 9, 2019, the President signed into law the Bipartisan Budget Act of 2018, which included the first key portion of DRRA adopted to incentivize states to implement risk-reducing measures to draw down disaster costs and losses. The provision provides up to an additional 10 percent in federal disaster funds as a reward to states that take measures that will reduce their exposures to vulnerabilities identified in their mitigation plan.

Not only should this allow FEMA to incentivize and reward states for being proactive, but this is also an opportunity for FEMA to help establish a minimum baseline standard for states to be working toward in their level of readiness, preparedness, and mitigation activities.

The Disaster Recovery Reform Act of 2018

On October 5, 2018, President Trump signed DRRA into law as part of the Federal Aviation Administration Reauthorization Act of 2018. These reforms amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act and:

- acknowledge the shared responsibility of disaster response and recovery,
- aim to reduce the complexity of FEMA recovery programs, and
- build the nation’s capacity for the next catastrophic event by reducing disaster risk and enhancing capabilities at the federal, state, and local levels.

The many provisions of DRRA work together to provide incentives and address some of this country’s policies and laws that continue to leave lives, homes, and communities vulnerable. The compelling arguments for these policy changes are grounded in overwhelming science and evidence. Better land use, modern science applied to home construction, and increased mitigation measures can dramatically reduce the devastation brought by these disasters. Most recently, the National Institute of Building Sciences (NIBS) released its “Natural Hazard Mitigation Saves: 2018 Interim Report,” concluding that:

- Adopting Model Building Codes Saves \$11 per \$1 Invested
- Federal Mitigation Grants Save \$6 per \$1 Invested
- Exceeding Codes Save \$4 per \$1 Invested
- Mitigating Infrastructure Saves \$4 per \$1 Invested

DRRA provides incentives and rewards through providing the appropriate level of funding to communities who invest in resiliency and stronger building codes, and who make smart pre-disaster mitigation efforts.

Among the key provisions in DRRA:

- enable greater and more consistent investment in pre-disaster mitigation;
- support efforts to reduce risks from future disasters after fires;
- facilitate earthquake-related hazard planning;
- increase state capacity to manage disaster recovery;
- provide expanded funding for individuals and households and greater flexibility to survivors with disabilities;
- grant FEMA the ability to hire and retain a more experienced disaster workforce;
- direct FEMA to reconsider the factors it uses to evaluate a jurisdiction's request for a major federal disaster declaration; and
- require FEMA to update Congress on the development of a national preparedness assessment and efforts to avoid duplication across preparedness grants.

New Tools for Mitigation and Code Enforcement

DRRA clarifies that the development, implementation, and enforcement of modern building codes are eligible uses under FEMA's existing hazard mitigation programs. It also incentivizes states to adopt model building codes by providing recovery funds to replace and restore damaged facilities to the latest codes and standards. In the wake of a disaster, FEMA assistance may also be available to cover base and overtime wages for extra hires involved in the enforcement of building codes to ensure that recovery rebuilding efforts comply with locally adopted build codes.

Additionally, like other disaster declarations, DRRA allows states that receive Fire Management Assistance Grants to receive post-fire hazard mitigation assistance to help communities recover and prevent deadly floods and mudslides after wildland fires. Finally, DRRA clarifies that activities related to wildfire, windstorm, and earthquake mitigation are eligible for FEMA's mitigation assistance programs.

National Public Infrastructure Pre-Disaster Mitigation Fund

The true game changer for disaster recovery policy in this country is the creation of the National Public Infrastructure Pre-Disaster Mitigation fund, which is an additional set-aside of 6 percent annual disaster spending for the purpose of funding greater investment in mitigation **before** a disaster. DRRA establishes FEMA the opportunity and the challenge to create a new, permanent mechanism to provide substantial funding for cost-effective, risk-reducing pre-disaster mitigation projects. DRRA provides a significant increase in reliable funding for grants for state, local, tribal, and territorial governments and communities that will enable them to better plan and execute cost-effective risk mitigation projects. With FEMA's leadership, this nationwide pre-disaster mitigation grant program will impact both public infrastructure and individual preparedness by increasing residential resilience through state-sponsored safe home grants. The competition for these resources will create an incubator for best practices, lessons

learned, and great ideas for projects and programs that can be tailored at the state and local level to reduce the risks unique to those communities.

Implementation

As with all significant reforms, we have our work cut out for us. DRRA contains over fifty provisions requiring a program or policy update, revision, or issuance from FEMA or another federal partner. Many of these provisions are retroactive so that they can impact the recoveries in the wake of the devastating 2017 hurricanes and wildfires. Looking ahead, members of Congress should have a great deal of urgency ensuring the objectives and principles set forth in DRRA are adhered to. FEMA has the daunting task to effectively and efficiently implement the law to its fullest extent so that we achieve the meaningful impact that was envisioned by this Committee. Let me make clear, I applaud FEMA for their efforts, transparency, and considerations of the many stakeholders in these measures and their willingness to embrace the challenging task in ensuring the law's implementation. FEMA has done a tremendous job fostering resiliency at every level and has implemented many provisions in DRRA which could be quickly implemented. The BuildStrong Coalition has been engaged by FEMA as a technical partner, bringing the right stakeholders to the table to provide input.

Principles for Implementation

New funding alone cannot solve a problem of this magnitude. This new investment must be deployed wisely and in a manner that realizes its full benefit. The following represent key principles for guiding the BuildStrong Coalition's engagement on behalf of its members, particularly related to the provisions in DRRA:

1. **Enhance the adoption and enforcement of statewide building codes.** Where practicable, the adoption and enforcement of building codes should be a basic, fundamental program element and requirement, also recognizing the key importance of enforcement and measuring the effectiveness of codes in states.
2. **Competitive program based on risk.** The most competitive projects are those that increase a community's resilience to disasters, saving lives and property.
3. **Competitive program dual focus.** Funding should be directed toward:
 - a. State-led Residential Resilience/Safe Homes Programs
 - b. Cost Effective, Risk-reducing Infrastructure Projects
4. **Reduce disaster risk nationwide.** Assistance should not be confined to only a few states or certain hazards. Disasters impact us all and hazards exist in every state. A nationwide conversation should include how to measure risk and how actions should be weighted to address that risk. A system that uses measures such as the Insurance Service Office (ISO) Build Code Effectiveness Grading Schedule, also known as BCEGS, in addition to other credit calculation tools, would be a good benchmark.
5. **Small allocation to states for capacity and capability building.** States must build a capacity to develop real, working mitigation plans that identify top vulnerabilities and the concrete steps that must be taken to reduce these vulnerabilities. The actions identified in the state mitigation plans and codes must then be implemented.
6. **Promote resilient materials and life safety methods.**
7. **Promote individual and community preparedness.**
8. **Support national response framework lifelines and FEMA's strategic objectives.**

9. **Encompass new construction and retrofitting.** Taking lessons learned from recent disasters, improve the resiliency of multi-family buildings. Encourage disaster resistant techniques for new construction and retrofitting aged mid-rise/high-rise multi-family structures.
10. **Leverage existing work by states, local governments, and the private sector.** Take advantage of existing programs, identify best practices, and incorporate lessons learned.
11. **Leverage existing programs and other streams of funding.** Build upon existing disaster recovery programs that encourage mitigation, such as Public Assistance Mitigation and the Hazard Mitigation Grant Program available post-disaster. Also, programs and guidance must be consistent with other programs and streams of funding in terms of eligible applicants, projects, and program requirements, like the Community Development Block Grant-Disaster Recovery program and the National Flood Insurance Program.
12. **Facilitate partnerships.** Where possible, public-private partnerships and public-public partnerships should not only be facilitated, but encouraged.
13. **Not to augment state staff.** These funds are not intended to be used to hire additional staff.
14. **Simple, scalable programs and guidance that can easily be replicated in and followed by states.** Where possible, establish pilot programs, ensure maximum flexibility and speed of enactment, and avoid lengthy rulemaking and implementation procedures that will delay deployment.

Next Steps

The BuildStrong Coalition is working hard with its member and partner organizations to identify the efforts likely to result in the greatest risk-reducing, cost-effective mitigation projects. Similar to FEMA's focus on the stabilization of lifelines across infrastructure sectors, we are also focusing on increasing the resilience of these lifelines through mitigation. Lifelines provide indispensable services that enable the continuous operation of critical business and government functions, and without prompt restoration would risk health, safety, and economic security. Focusing on these lifelines, such as power, water, and sheltering, allow decision-makers to better identify key risks and facilities and more readily target projects that can help protect or restore critical functions during a disaster.

We are also keenly focused on what resilience means to the individual and household. Just last week, our partners at the Insurance Institute for Business and Home Safety (IBHS) testified on resiliency before the Committee on Ways and Means. As IBHS President and CEO Roy Wright testified,

As important as these federal measures are, they will not advance adaptation unless states understand how these funds can be applied to make homes, businesses, and communities less vulnerable to the severe weather scenarios that play out at the IBHS Research Center. It is critical to connect the dots between these new federal grant opportunities and bricks and mortar state programs that can strengthen the built environment for the future. We have partnered with the BuildStrong Coalition to provide technical assistance in making these connections. The DRRA, once fully implemented, will deliver the largest investment by the Federal government to buy down the risk of natural disasters prior to the devastation occurring.

We look forward to sharing with Congress and FEMA those projects which an individual homeowner can undertake to make the greatest impact on mitigating certain risks, such as wind, water, hail, and fire.

Another critical next step, particularly for the implementation of the additional pre-disaster mitigation funding, is to build capacity at the state level to identify risks and cost-effective projects, then facilitating the development of effective and efficient grant applications and awards. For its part, the BuildStrong Coalition has partnered with FEMA and the U.S. Chamber of Commerce to host a series of resilience summits across the country to help stakeholders develop the capacity to apply for and implement these grants. The first summit will be July 23, 2019, in Washington, D.C. Future meetings will be held in Sacramento, CA, and Houston, TX. Further, through these partnerships we are working to align and leverage other federal resilience programs, such as Community Development Block Grant-Disaster Recovery (CDBG-DR) funds and resources from the Department of Energy and EPA.

Disasters won't take a vacation while we are doing this hard work. This country will undoubtedly be faced with additional catastrophes before DRRA is fully implemented. Even now, Congress considers disaster-related legislation. I implore you, as the leaders in disaster policy, to remain steadfast and ensure that any disaster-related legislation or infrastructure package remain consistent with the transformational changes of DRRA, including leveraging the investment of federal resources in a smart, strong way to increase resiliency.

Conclusion

It will take us years to recover from the destruction caused during 2017 and other recent disasters. The country is currently undertaking one of the largest nationwide disaster recovery efforts in the history. Congress gave FEMA the tools and authorities to ensure that the current recovery efforts result in stronger, more resilient communities. As the 2019 Atlantic Hurricane Season gets underway, we are once again reminded that time is of the essence to ensure that we do everything we can to facilitate the timely implementation of DRRA, facilitate the streamlining of FEMA's programs, and continue to incentivize mitigation throughout this country. My prayer is that we will be able to see in the very near future how our actions today have had a real impact on helping individuals, businesses, and communities survive disasters.

This committee is to be commended for pushing the reforms to federal disaster spending that put pre-disaster mitigation at the forefront and positioned FEMA on the cutting edge of the effort to rebuild our infrastructure in a way that is fortified against natural disasters. But we cannot take our foot off the gas and must continue our tireless efforts to push for an efficient, effective implementation of the law.

Chairwoman Titus and Ranking Member Meadows, thank you for convening this hearing and raising these important issues. I look forward to answering any questions you may have.