

Congress of the United States
Washington, DC 20515

October 31, 2018

The Honorable William B. Long
Administrator
Federal Emergency Management Agency
500 C Street S.W.
Washington, D.C. 20472

Dear Administrator Long:

We write to request information about the Federal Emergency Management Agency's (FEMA) plans to implement provisions regarding the Stafford Act that were passed by Congress as part of the FAA Reauthorization Act of 2018 (H.R. 302, P.L. 115-254), signed into law on October 5, 2018. We also request the agency provide interim guidance as soon as possible to ensure Colorado communities recovering from the devastating 2013 flood (DR-1415) can proceed with certainty that they will be reimbursed for ongoing flood recovery projects.

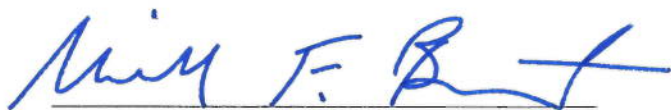
FEMA Region VIII has declared several projects in Larimer and Boulder counties ineligible for reimbursement under the Stafford Act section 406 (e)(1)(A). We believe FEMA's current interpretation of the Stafford Act's eligibility provisions for restoration of damaged facilities will severely limit these Colorado communities' ability to recover and prepare for future disasters. Under this interpretation, Boulder County, Colorado, could be ineligible for between \$40 million and \$50 million in reimbursements for projects which already had preliminary FEMA approval. In Larimer County, approximately \$20 million in projects could be ineligible.

Section 1235 of H.R. 302 addresses this issue, clarifying that eligibility be allowed for projects that follow "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 section, FEMA has 60 days to provide interim guidance for implementation.

We ask that you provide this interim guidance as soon as possible, and in accordance with Congress's intent, in order to provide certainty to these communities who, five years later, are still recovering from this disaster. We also request that you provide us with information—including a timeline—regarding the implementation of interim guidance and full package of these flood recovery provisions.

Thank you for your timely consideration of this matter.

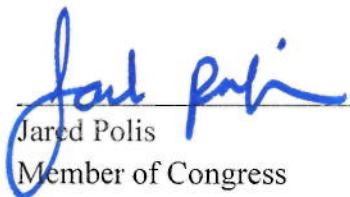
Sincerely,



Michael F. Bennet
United States Senator



Cory Gardner
United States Senator



Jared Polis
Member of Congress



Ken Buck
Member of Congress