



One Hundred Nineteenth Congress  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515

May 22, 2026

Mr. Robert J. Fenton, Jr.  
Senior Official Performing the Duties of the Administrator  
Federal Emergency Management Agency  
500 C Street SW  
Washington, DC 20024

Dear Mr. Fenton:

We write to express serious concerns regarding the recently released Notice of Funding Opportunity (NOFO) for the Building Resilient Infrastructure and Communities (BRIC) program, administered by the Federal Emergency Management Agency (FEMA).<sup>1</sup> BRIC provides critical Federal funding to States, territories, Tribes, and local governments for proactive hazard mitigation measures to reduce future disaster losses.

The Trump administration attempted to terminate the BRIC program in April 2025, calling it “wasteful and ineffective” even though hazard mitigation initiatives save \$6 for every \$1 invested,<sup>2</sup> and even though President Trump himself signed BRIC into law in 2018.<sup>3</sup> Fortunately, last December a Federal judge ordered the Trump administration to reinstate the program.<sup>4</sup> However, the changes reflected in the fiscal year (FY) 2024 & 2025 BRIC NOFO, released in March 2026, represent a troubling departure from past precedent and raise significant legal, ethical, and practical questions.

FEMA plans to award \$1 billion through BRIC for FY 2024 & 2025, which is just a fraction of the nearly \$5 billion available for the program as of last September.<sup>5</sup> Demand for BRIC funding has consistently outpaced supply, raising questions about why FEMA would choose to hold back funds that communities clearly need. In 2023, communities applied for a total of \$5.7 billion in BRIC

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<sup>1</sup> *Building Resilient Infrastructure and Communities (BRIC) Notice of Funding Opportunity*, DHS-25-MT-047-00-98 (Mar. 25, 2026), <https://simpler.grants.gov/opportunity/bccd8cb3-af60-4773-a5e5-f5a228991289>.

<sup>2</sup> Laura Lightbody and Matthew Fuchs, *Every \$1 Invested in Disaster Mitigation Saves \$6*, PEW (Jan. 11, 2018), [https://www.pew.org/en/research-and-analysis/articles/2018/01/11/every-\\$1-invested-in-disaster-mitigation-saves-\\$6](https://www.pew.org/en/research-and-analysis/articles/2018/01/11/every-$1-invested-in-disaster-mitigation-saves-$6).

<sup>3</sup> Disaster Recovery Reform Act of 2018, Pub. L. No. 115-24.

<sup>4</sup> Gabriela Aoun Angueira, *Federal judge orders FEMA to restore billions in canceled disaster mitigation funding*, AP NEWS (Dec. 11, 2025), <https://apnews.com/article/fema-bric-funding-disasters-trump-restore-50def95a599645b4fa3062c6547c6a3d>.

<sup>5</sup> *Disaster Relief Fund: Monthly Report as of September 30, 2025*, FEMA (Oct. 22, 2025), [https://www.fema.gov/sites/default/files/documents/fema\\_ocfo\\_disaster-relief-fund-report\\_102025.pdf](https://www.fema.gov/sites/default/files/documents/fema_ocfo_disaster-relief-fund-report_102025.pdf).

funds—nearly six times the amount of funding available.<sup>6</sup> This year, the demand will almost certainly be higher due to the three-year hiatus in application opportunities.

The lack of funding opportunities from other mitigation programs will likely also increase demand for BRIC funding. For example, in part based on advice from Cameron Hamilton—FEMA’s former acting leader and current Administrator nominee—the Trump administration has refused to approve Hazard Mitigation Grant Program funding as part of disaster declaration requests for over a year.<sup>7</sup> FEMA also has not issued a NOFO for its Flood Mitigation Assistance grant program for FY 2025 or 2026. In short, communities are competing for a small slice of disaster mitigation money at a time when demand has never been higher and other funding avenues have been cut off.

The Trump administration has also made it more difficult for the highest-need communities to access BRIC funding. Under-resourced jurisdictions—including rural, low-income, and Tribal communities—face well-documented challenges accessing Federal disaster assistance, and they are often the most vulnerable to the effects of disasters.<sup>8</sup> BRIC in particular has struggled to reach these communities, with 94 percent of funding going to coastal States and wealthier counties in 2020, the program’s inaugural year.<sup>9</sup> Under the Biden administration, FEMA took meaningful steps to make access to BRIC funds more equitable, but the FY 2024 & 2025 BRIC NOFO largely undermines this progress. The NOFO indicates that the Trump administration has:

- Ended non-financial technical assistance designed to help under-resourced communities navigate the complex application process;
- Terminated phased projects, which provided funding for costly application requirements like engineering studies; and
- Prioritized funding for “shovel-ready” projects that favor highly resourced communities.

Even if an under-resourced community manages to submit a BRIC application, the Trump administration has reduced their chances of being selected to receive funding. This year, FEMA reduced the scoring weight for applications from small, impoverished communities from 40 points to just 5 points, drastically reducing their odds of receiving an award. FEMA also terminated supplemental funding for Community Disaster Resilience Zones—communities that are most vulnerable to disasters as determined by hazard risk analyses and socioeconomic indicators.<sup>10</sup> This funding reduction makes program participation more expensive for the communities that can least afford it.

Most troubling, the NOFO imposes new and potentially unlawful requirements that are completely unrelated to disaster mitigation. For example, the NOFO requires subapplicants to submit résumés,

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<sup>6</sup> *Rising demand for FEMA’s BRIC program far exceeds available funding*, HEADWATERS ECONOMICS (July 30, 2024), <https://headwaterseconomics.org/natural-hazards/rising-demand-for-femas-bric-program-far-exceeds-available-funding/>.

<sup>7</sup> Memo from Cameron Hamilton to Off. of Mgmt. & Budget, *Actions to Rebalance FEMA’s Role in Disasters* (Apr. 23, 2025), [https://lisamillerassociates.com/wp-content/uploads/2025/05/FEMA-OMB\\_Memo\\_FEMA\\_Rebalance\\_250423.pdf](https://lisamillerassociates.com/wp-content/uploads/2025/05/FEMA-OMB_Memo_FEMA_Rebalance_250423.pdf).

<sup>8</sup> GOV’T ACCOUNTABILITY OFF., *Disaster Recovery: Additional Actions Needed to Identify and Address Potential Recovery Barriers* (GAO-22-104039, Dec. 15, 2021), <https://www.gao.gov/assets/gao-22-104039.pdf>.

<sup>9</sup> *Capacity-limited states still struggle to access FEMA BRIC grants*, HEADWATERS ECONOMICS (Aug. 4, 2022), <https://headwaterseconomics.org/economic-development/equity/capacity-limited-fema-bric-grants/>.

<sup>10</sup> 42 U.S.C. § 5136.

names, and home addresses of organizational leadership and board members—subject to FEMA approval—and to notify FEMA of any personnel changes going forward. These requirements appear to serve no legitimate grant administration purpose and raise serious civil liberties concerns. The NOFO also contains the following vague language without disclosing what it will be used for: “If a subapplicant has foreign nationals, they must be properly vetted and must adhere to all government statutes, policies, and procedures including ‘staff American, stay in America’ and security requirements.”<sup>11</sup> Despite a formal request from our committee submitted last August, DHS has provided no clarification about what these requirements entail or whether this provision applies to employees, board members, communities served, or others.<sup>12</sup>

In addition, the NOFO requires recipients to provide non-disaster-related information each time they wish to be reimbursed for grant-related expenditures, potentially violating the Administrative Procedure Act and creating a chilling effect on legitimate community organizations. For example, recipients must disclose whether their mission involves “supporting aliens” and whether any payment request involves such activities, regardless of whether FEMA funds support those activities. It also requires disclosure of any diversity, equity, and inclusion practices, with no indication of how DHS will use this information.

Lastly, the NOFO has new language stipulating that FEMA may terminate an award if, “in its sole discretion,” FEMA or DHS determine that the award is not achieving the program’s priorities or goals—even if FEMA or DHS changes those priorities or goals. FEMA may also terminate the grant if it determines the grant is “flawed,” or for any other reasons related to program goals or Agency priorities. FEMA may also terminate an award if a recipient fails to comply with the award terms and conditions, including the numerous troubling and potentially unlawful conditions described in this letter.

We urge FEMA to rescind or substantially revise this NOFO immediately and to engage meaningfully with Congress and affected communities before proceeding. We also request a briefing from FEMA on this matter no later than June 5, 2026. BRIC is a cost-effective investment in the safety and resilience of American communities, and it deserves to be administered in a manner that is lawful, equitable, and responsive to the unprecedented demand for mitigation funding.

Sincerely,



Bennie G. Thompson  
Ranking Member  
Committee on Homeland Security



Timothy M. Kennedy  
Ranking Member  
Subcommittee on Emergency Management  
and Technology

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<sup>11</sup> *DHS supra note 1.*

<sup>12</sup> Letter from Members of Congress to Kristi Noem, Former Sec’y, DHS, & David Richardson, Former Senior Official Performing the Duties of FEMA Adm’r (Aug. 12, 2025), [https://mcusercontent.com/454cfa9194e9ddd010513ab91/files/6a8faca5-18fe-86cd-7a04-2ad88a2467d0/2025\\_08\\_12\\_T\\_Noem\\_Richardson\\_Letter\\_of\\_Inquiry\\_re\\_NOFOs\\_and\\_grant\\_programs.pdf](https://mcusercontent.com/454cfa9194e9ddd010513ab91/files/6a8faca5-18fe-86cd-7a04-2ad88a2467d0/2025_08_12_T_Noem_Richardson_Letter_of_Inquiry_re_NOFOs_and_grant_programs.pdf).

Mr. Robert J. Fenton, Jr.

Page 4

cc: The Honorable Andrew R. Garbarino, Chairman  
Committee on Homeland Security