

Federal Emergency Management Agency
Washington, D.C. 20472

AA-13

MEMORANDUM FOR: Regional Directors
Regions I-X

ATTENTION: Mitigation Division Directors
Response & Recovery Division Directors

FROM: Michael J. Armstrong
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Lacy E. Suiter
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Response & Recovery Directorate

DATE: 23-JUL-97

SUBJECT: Statewide Availability of Hazard Mitigation Grant Program
Funds Following a Disaster Declaration

Attached is a notice recently published in the Federal Register that makes Hazard Mitigation Grant Program (HMGP) funds available in all counties within the affected State following a major disaster declaration by the President.

In the past, HMGP funds were only available to counties designated eligible by FEMA for Individual Assistance (IA) or Public Assistance (PA). Pursuant to the Stafford Act, both PA and IA funds address damage or hardship resulting from a major disaster; however, HMGP funds are intended to reduce the risk of future damage or hardship. As a result, FEMA has determined that the use of HMGP funds should not be limited only to counties designated eligible for IA or PA funds.

Therefore, FEMA will automatically designate all counties within the State as eligible for HMGP funds after every disaster for which HMGP assistance is authorized. The existing procedures (in which the State requests areas for designation) will not apply for the HMGP. However, the designation process for IA and PA will remain unchanged.

Although this part of the overall effort to streamline the HMGP and provide flexibility to States and communities, we must make every effort to ensure that areas devastated by a disaster will not be adversely impacted by this policy. As States are responsible for administering the HMGP, they will now have the flexibility in determining areas having the greatest need for mitigation funds to further reduce risk and costs associated with disasters.

The Program Implementation Division is currently working with the Office of General Counsel in examining a previous decision made by that office in November 1994. A determination was made at that time that HMGP funds could not retroactively fund a project in an area that had not been included in the original disaster declaration. We will advise you at a later date if we are able to also apply this policy retroactively. However, as of this time, it applies only to new declarations.

Please share this information with your States as soon as possible, so they may take advantage of this new policy.

Should you have any questions regarding this matter, please contact Robert F. Shea, Jr., Director, Program Implementation Division, at (202) 646-3662.

Attachment removed

Reference: Federal Register, Vol., 62, No. 129, Monday, July 7, 1997, Notices page 36289