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THE SHUTDOWN SHOWDOWN

It's looking like an impasse in Congress is going to allow funding for the federal government to run out on October 1st. Neither chamber will be able to pass more than a couple of the 12 appropriations bills that fund Congress, the Executive Branch, and the Judiciary by the end of this month. Even if each passed all 12, they are so far apart in their respective funding levels that reaching agreement would take weeks.

It's not just dollars that are in question. Several of the House funding bills have amendments on policy issues such as abortion or immigration that the Biden administration has said it would veto. Widening the chasm is the fact that the Senate Appropriations Committee had bipartisan unanimity in passing its 12 bills, while its House counterpart passed its package of bills on party line votes.

The Senate has already begun voting on funding legislation, taking a "minibus" package of three bills (Veterans Affairs, Transportation, Housing & Urban Affairs and Agriculture) to the floor with the Energy & Water Development Appropriations Bill likely to follow before the end of the month. The House tried to vote on just the Defense Appropriations bill but couldn't even get enough Republican votes to allow floor debate. If that one won't move, it signals the persistence of a vocal group of GOP members who want to get overall funding levels cut. We hope there will be a break in this internal GOP logjam, but prospects currently look dim.

Also tied up with the funding impasse is a \$16 billion supplemental disaster funding request from President Biden. FEMA is, or will soon, run out of money, and the supplemental was designed to fill that cash register as well as fund other agencies such as the Corps of Engineers. Normally, short-term funding resolutions called Continuing Resolutions (or CRs) are used when the end of the federal fiscal year finds funding bills not yet passed. However, that also requires passage in both the House and Senate which will not happen without the strong support of Democrats in the House.

When funds for the government run out, all except essential functions stop and personnel are laid off. Also, half of the members of the House were not in office when the last shutdown occurred in 2017. This is a political soap opera with lots of plot lines. It's also changing by the hour.

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FEMA SHORT OF DISASTER ASSISTANCE MONEY

The agency's Disaster Relief Fund (DRF) is critically short of money to deal with the recent hurricane and flooding disasters. While there are other agencies, like the Small Business Administration, that have their own pre- and post-disaster funds, the DRF provides funding for most of the federal government's response.

FEMA gets its funds from both regular and post-disaster supplemental funding. Its regular funding requests are based on estimates of past disaster levels and predicted amounts of flooding, hurricanes, and wildfires. Post-disaster costs are rising because of inflation, even if the specific amount of damages from a year ago, for example, has not increased.

If the DRF funds starts to get low, FEMA imposes "Immediate Needs Funding" (INF) restrictions which give the agency some ability to prioritize and limit spending. Those restrictions were implemented on September 1st.

The last time that happened was after Hurricane Harvey hit Texas in 2017. Since the federal government, including FEMA, are unlikely to be funded by October 1st (see above), what happens? The Continuing Resolution normally gives each agency only a portion of its annual funding. The exception is FEMA which has been given a major slug of money in the past and probably will again this year – assuming the government doesn't shut down.

FEMA'S NEW SAFEGUARDING TOMORROW REVOLVING LOAN FUND PROGRAM

FEMA has announced \$50 million in funding for a new federal loan [program](#) designed offer low interest loans to communities for protection against storms, flooding, wildfires, and other natural disasters. The first round will go to just seven pre-selected states, including Louisiana, Maryland, Michigan, New Jersey, New York, South Carolina, Virginia, and the District of Columbia, with each entity receiving between \$5 and \$7 million. The unique part is that each of the targeted states will be allocating funds, not FEMA.

The program is similar to the EPA revolving loan funds, which have been used for both drinking water and clean water purposes. As loans are repaid, money can be recycled into other projects within the state. The goal is to help states and communities better prepare for climate change, especially those in lower income areas that often cannot meet cost-share requirements. Under this program the loans would carry interest rates between 0 and 1 percent.

Congress approved \$500 million for the program, but will start off with \$50 million this year, with the remaining money being distributed in phases over the next three years.

'DISASTER' BEATS 'CLIMATE CHANGE'

We track bills introduced in Congress that affect coastal community interests and this year, the bills covering disaster issues outnumber those on sea level rise and climate change by 5 to 1. We didn't keep our listing from the last Congress, but it's clear that climate change bill introductions have taken a deep dive in this Congress. Not all of the disaster bills have been introduced in the last few days, but here are

some of the highlights of those recently filed, including one on climate change:

- **HR. 5204** – Establishes a grant program within the Environmental Protection Agency to help local governments adopt climate action plans and integrate them into their land use and community development planning. (Sponsored by Rep. Escobar of Texas)
- **S. 2779** – This bill creates a new Office of Disaster Recovery and Resilience within the federal Economic Development Administration which currently supports various recovery and resilience initiatives but has no dedicated mission to achieve its objectives for communities impacted by disasters. (Sponsored by Sen Padilla of California and Sen. Boozman of Arkansas)
- **S. 2721** – This bill appropriates \$16.5 million to FEMA, the same amount the Administration wants, but as a standalone measure that would not have to wait for unraveling the appropriations tangle discussed above. (Sponsored by Senators Scott and Rubio of Florida)
- **S. 1528** – This is one of the rare bills we track that has actually moved, passing the Senate in July, and awaiting action in the House. It would require the Federal Emergency Management Agency (FEMA) to improve its website, [DisasterAssistance.gov](https://www.fema.gov/disaster-assistance), which provides information for individuals, households, and would require FEMA to streamline the application process by allowing individuals and businesses to apply for all available disaster assistance and to facilitate the sharing of applicant information among participating agencies. (Sponsored by Sen. Peters and Sen. Lankford)

For a full list of the bills we're tracking [click here](#).

NEARLY 500 COMMUNITIES GET SPECIAL STATUS FOR FEMA GRANTS

FEMA has named 483 neighborhoods as especially vulnerable to climate change and eligible to receive aid from that and other federal agencies. The designating factors were both their vulnerability to storms and other types of disasters as well as their 'disadvantaged' status. The agencies will prioritize these communities for their agencies' grant programs. More communities will be named in the future under the Community Disaster Resilience Zones Act signed into law at the end of 2022. Use [this link](#) and this [one](#) to get more information. Bonus link for reading this far: Here's a [special report](#) on the BRIC program and how FEMA sets priorities for funding.

Funding Opportunities: Here are just two of the latest funding opportunities that we think may interest you.

- NOAA Coastal Habitat Resilience or Tribes and Underserved Communities. \$45 million available with grants up to \$3 million. For information, click [here](#).
- NOAA has just posted their grant opportunities related to reducing marine debris. One for [Marine Debris Community Action Coalition](#), one for a [Marine Debris Challenge Competition](#), one for [Marine Debris Removal](#) under the Bipartisan Infrastructure Law, and one for [Marine Debris Interception Technologies](#).

If you are interested in finding experienced assistance in applying for these or any other federal grants, please contact us at [Warwick Group Consultants](#).

WRDA 2022 GUIDANCE

The Corps as well as the Office of the Assistant Secretary of the Army for Civil Works have listed 10 sections of WRDA 2022 where they plan to issue guidance. Here's where you can find the 10 sections and also keep track of guidance when it is issued: <https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/WRDA-2022/>

PLANNING ASSISTANCE TO STATES

This is one of our favorite Corps of Engineers technical assistance programs because it is so flexible in its ability to provide assistance to coastal and inland communities (as well as groups of communities and states) and because it is a well-funded program with no need to wait for a Corps budget or an earmark. We posted the latest factsheet about this program on our **WaterLog** website. You can find it [here](#).

WE WOULD LIKE YOUR COMMENTS & SUGGESTIONS

We appreciate feedback about what you like, don't like, or would like to see, and alerts about broken links are welcome. Just email howard@waterlog.net.

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