

Strengthen Building Code Enforcement

June 23, 2009

Dear Colleague:

We would like to invite you to cosponsor the Community Building Code Administration Grant Act (S. 970/H.R. 2246). This legislation will establish a competitive national program administered by the Department of Housing and Urban Development that provides awards to local governments for building code administration and enforcement. We introduced this legislation along with Congressman Dennis Moore in the 110th Congress, and it received bipartisan support and passed in the House of Representatives in July 2008 (H.R. 4461/S. 2458).

Responsible building is essential to reduce vulnerability to future hazards, and it is critical to our efforts to make buildings more energy efficient. State and local building codes assure that new homes, schools, and commercial structures comply with safety standards, and meet the energy efficiency codes that states will be adopting to receive State Energy Program funding under the American Recovery and Reinvestment Act. For every \$1 spent on mitigation at the federal level, the American taxpayer saves \$4 in disaster assistance. This was the conclusion of a study, widely cited by FEMA and members of Congress, which was conducted in 2005 by the National Institute of Building Sciences. Acquiring the skills and knowledge to become a code inspector is a time-consuming and expensive process, though, especially when local governments are experiencing reduced revenues.

There are no dedicated federal funds for building code administration. While Community Development Block Grant (CDBG) funds and administrative allowances from FEMA's mitigation programs could be used for this purpose, that has not happened because competition for these funds is intense, and infrastructure projects typically receive preference over building code enforcement. Local governments must therefore fund these activities without federal assistance, relying often on building permit fees and general funding to operate offices that are overworked and understaffed. This means that codes on the books cannot be enforced, leaving communities more vulnerable and driving up insurance premiums in those areas. Staff and funding shortages also cause lengthy inspection delays which increase construction costs.

Each of the states we represent has adopted a statewide building code regulating property elevation, wind proofing, construction materials, fire safety, and energy codes. Enforcing these standards is especially important to rebuilding safer, stronger, and smarter in the aftermath of a disaster. In order to succeed in this undertaking however, enforcement capabilities must be fully operational and fully funded. Many communities in the United States with disaster-related property damage or scarce funding face

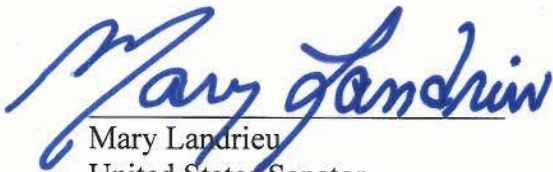
significant challenges in carrying out this mission.

This program will not infringe upon local and state authority to develop, enact, and enforce building codes. It simply provides sorely-needed resources for them to do so. The bill includes a 5-year sunset on the program, authorizes \$100 million over that period to execute it, caps awards at \$1 million per recipient, requires recipients to match a portion of funds received and present a plan to sustain operations after Federal support ends, and outlines eligible uses of funds and selection criteria, with preference offered to governments in financial distress.

This legislation is supported by the Air Conditioning Contractors of America, Alliance to Save Energy, American Institute of Architects, American Insurance Association, American Society of Civil Engineers, American Society of Heating, Refrigerating and Air-Conditioning Engineers, ASTM International, Building Owners and Managers Association, Institute for Building Technology and Safety, International Code Council, National Institute of Building Sciences, National Ready Mix Concrete Association, North American Insulation Manufacturers Association, Plumbing-Heating-Cooling Contractors Association, and the Portland Cement Association.

To cosponsor this legislation or request more information, please contact Ben Billings at ben_billings@hsgac.senate.gov with Senator Landrieu's staff or Jenn Gallagher with Senator Martinez's staff at jenn_gallagher@martinez.senate.gov.

Sincerely,



Mary Landrieu
United States Senator



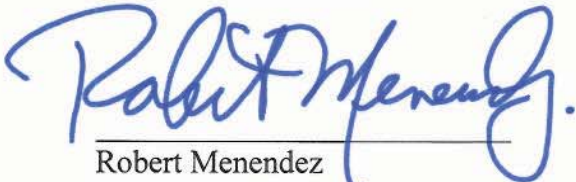
Mel Martinez
United States Senator



Tim Johnson
United States Senator



Joseph I. Lieberman
United States Senator



Robert Menendez
United States Senator



Amy Klobuchar
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