JOHN RATCLIFFE
4TH DISTRICT, TEXAS

325 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6673

Congress of the United States
House of Representatives
Washington, DC 20515–4304

April 21, 2015

President Barack Obama
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20502

Dear President Obama,

We are writing concerning Executive Order 13690, "Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input" (FFRMS), which you issued on January 30, 2015.

As you know, millions of Americans live in floodplains and low-lying areas across the country. Due to its far reaching application, FFRMS would substantially increase what constitutes a floodplain and could devastate these communities. The affected communities would be ineligible for many federal programs, including port development projects, hazard mitigation grants, flood control projects, Brownfields redevelopment, Community Development Block Grants, federally-backed mortgages, and federal transportation projects, unless they include expensive structural alternatives. This negative impact would likely dry up economic investment in these areas.

In addition, notwithstanding the clearly erroneous assertions by FEMA in its recent series of listening sessions that the FFRMS does not apply to private investments, this executive order would in fact substantially limit private development across America. Due to its applicability to a wide array of federal permits, licenses, and approvals, including Clean Water Act permits, and its effect on federally supported housing, FFRMS is expected to dramatically increase the cost of construction and labor in low-lying communities, and in some cases would halt economic development activities altogether.

Public input is vital to ensure that the impact of these changes is fully understood. Congress included language in FY2015 Consolidated and Further Continuing Appropriations Act (P.L. 113-235) requiring transparency and consultation with stakeholders. Title VII, Section 749 states: "None of the funds made available by this or any other Act may be used to implement a new Federal Flood Risk Management Standard until the Administration has solicited and considered input from Governors, mayors, and other stakeholders." The clear intent behind that provision was to solicit input on the alternatives established in the executive order to comply with the FFRMS, rather than simply seeking comment on how to implement those alternatives.

Regrettably, the Administration ignored this provision of law by issuing the FFRMS. To date, there has been no public disclosure of the basis of the alternatives included in EO 13690, how they were developed and decided upon, or a cost-benefit analysis of them.

PRINTED ON RECYCLED PAPER

In view of the widespread negative impacts that would result from FFRMS, the lack of transparency through the process of its development, and concerns over its legality, we request that you provide the following information by May 18, 2015:

1. A list of governors, mayors, and other stakeholders whose input was solicited in developing the FFRMS including those who provided specific information on the alternatives established to comply with the standard.

2. A full explanation of how the federal agencies intend to fund the directives in the FFRMS, given that no appropriations have been provided by Congress, nor has any such request been made in your FY16 budget, for any activities or operations.

3. A complete description of the activities of the Water Resources Council, including a list of meetings and the notices issued to announce such meetings; a list of all attendees at any such meetings, including the principals, staff and any non-government attendees; minutes of all meetings, and a full description of how any activities related to the Water Resources Council have been funded, including which agencies funded staff activities.

4. A full explanation of how the alternatives in the standard were developed, including the scientific basis in support of those alternatives, as well as a list of federal and non-federal organizations and individuals involved in the scientific research upon which the standard is based.

Thank you in advance for your cooperation on this matter and we look forward to your response.
Sincerely,

JOHN RATCLIFFE
Member of Congress

PETE SESSIONS
Member of Congress

STEVE SCALISE
Member of Congress

STEVEN PALAZZO
Member of Congress

MICHAEL MCCAUL
Member of Congress

RALPH ABRAHAM
Member of Congress

BILL FLORES
Member of Congress

KAY GRANGER
Member of Congress

ANDY HARRIS
Member of Congress

BRUCE WESTERMAN
Member of Congress

STEVE WOMACK
Member of Congress

TED POE
Member of Congress

SCOTT TIPTON
Member of Congress

VICKY HARTZLER
Member of Congress

MARK WALKER
Member of Congress

JOHN CULBERSON
Member of Congress

STEVE KING
Member of Congress

PETE OLSON
Member of Congress

BLAINE LUETKEMEYER
Member of Congress

SAM JOHNSON
Member of Congress

RICK CRAWFORD
Member of Congress

DOUG LAMALFA
Member of Congress

BRIAN BABIN
Member of Congress

JASON SMITH
Member of Congress

WALTER JONES
Member of Congress

DANIEL NEWHOUSE
Member of Congress

DAVID ROUZER
Member of Congress

MIKE KELLY
Member of Congress

MIKE BOST
Member of Congress

CHARLES BOUSTANY
Member of Congress

RANDY WEBER
Member of Congress

RODNEY DAVIS
Member of Congress

FRENCH HILL
Member of Congress

SAM GRAVES
Member of Congress

GREGG HARPER
Member of Congress

PAUL GOSAR
Member of Congress

TRENT FRANKS
Member of Congress

TOM RICE
Member of Congress

J. RANDY FORBES
Member of Congress

JOHN FLEMING
Member of Congress

RODNEY BLUM
Member of Congress

BOB GIBBS
Member of Congress

BRAD WENSTRUP
Member of Congress

RYAN ZINKE
Member of Congress

EARL "BUDDY" CARTER
Member of Congress

GARRET GRAVES
Member of Congress

BLAKE FARENTHOLD
Member of Congress

STEVE CHABOT
Member of Congress

BILL JOHNSON
Member of Congress

ANN WAGNER
Member of Congress

WILL HURD
Member of Congress

STEPHEN FINCHER
Member of Congress

KEVIN CRAMER
Member of Congress

TIM MURPHY
Member of Congress

ROGER WILLIAMS
Member of Congress